

**DIMENSIONS OF EMPLOYMENT DISCRIMINATION IN THE ORGANISED
PRIVATE SECTOR OF OYO STATE, NIGERIA**

BY

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CERTIFICATION

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DEDICATION

This thesis is devoted to Almighty Allah, for fulfilling His promise that “and we shall ease you into ease” and to my family, thank you.

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ABSTRACT

Employment Discrimination (ED), bias towards or against workers, is a common phenomenon in organisations. Evidence has shown that the Organised Private Sector (OPS) is bedevilled with ED in Oyo State which hinders institutionalisation of decent work. Previous studies focused more on prevalence, predicting factors and social actors' reactions of ED than on its dimensions. This study, therefore, was carried out to investigate the dimensions of ED in the OPS of Oyo State, Nigeria.

The Disparate Treatment and Impact Theory served as the anchor, while the study adopted the survey design. Three sectors (agriculture, manufacturing and services) of the OPS in Oyo State were enumerated, using disproportionate sampling technique. Five unionised and accessible and one accessible but non-unionised organisation were selected: three from manufacturing, one from agriculture and two from services. A total of 340 employees were randomly selected across the six organisations with 24 trade union officials and 48 Labour Inspectors (LIs). The instruments used were Employees ED ($r=0.89$) having eight sub-scales, Trade Union ED ($r=0.93$) having five sub-scales and Labour Official ED ($r=0.77$) having two sub-scales questionnaires. In-depth and key informant interviews were held with five labour leaders, two LI officials and three Labour Law Practitioners (LLPs), respectively. Quantitative data were subjected to simple percentage and mean, while qualitative data were thematically analysed.

Majority (99.8%) were males and had master degree (99.9%), with the mean age 45.5 ± 8 years. Age based discrimination (42.7%) is the most prevalent ED followed by gender (28.5%), religion (20.9%), while ethnicity is the least (12.6%). The EDs were not reported due to culture of silence (21.5%), fear of repercussions (4.5%), ignorance (20.6%) and seeking spiritual of supports (12.9%). Against the threshold of 2.5, ED engendered poor job performance ($\bar{x}=2.99$), job-related stress ($\bar{x}=2.99$) and absenteeism ($\bar{x}=2.96$), and had adverse effects on employees' well-being ($\bar{x}=2.96$), job commitment ($\bar{x}=2.91$), organisational image ($\bar{x}=2.68$) and profit margin ($\bar{x}=2.63$). Trade unions, unlike the employees, were aware of provisions for redress, but were inattentive to EDs because allegations were not properly substantiated. The LLPs were of the view that existing labour statutes did not specifically address EDs due to non-availability of anti-discrimination policy. The Ministry hardly received ED reports; and there were no funding for prosecuting offenders.

The dimensions of employment discrimination in the Organised Private Sector of Oyo State were along the lines of age, gender, religious and ethnic dimensions. These dimensions of employment discrimination should be mitigated by trade unions and officials of the Federal Ministry of Labour.

Keywords: Organised private sector, Employment discrimination, Institutionalisation of decent work

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TABLE OF CONTENTS

	Pages
Title Page	i
Certification	ii
Dedication	iii
Acknowledgements	iv
Abstract	v
Table of Contents	vi
List of Tables	ix
List of Figures	x

CHAPTER ONE: INTRODUCTION

1.1	Background to the study	1
1.2	Statement of the problem	6
1.3	Objectives of the study	6
1.4	Research Questions	7
1.5	Significance of the study	8
1.6	Scope of the study	9
1.7	Operational definition of terms	11

CHAPTER TWO: LITERATURE REVIEW

2.1	Concept, Types and Importance of Organised Private Sector	12
2.2	Organised Private Sector and Employment Generation	23
2.3	Organised Private Sector and Economic Growth and Development	24
2.4	Concept and Types of Employment Discrimination	29
2.5	Factors contributing to Employment Discrimination	38
2.6	Effects of Employment Discrimination	44
2.7	Employment Discrimination and Decent Work	47
2.8	International Labour Organisation and Employment Discrimination	50
2.9	Provision of redress seeking against Employment Discrimination	52

2.10	Trade Union and Employment Discrimination	57
2.11	The State and Employment Discrimination	61
2.12	Empirical Studies	66
2.13	Theoretical Framework	72
2.13.1	Disparate Treatment and Disparate Impact Theory	72
2.14	Conceptual Framework	75
2.15	Appraisal of Literature	76

CHAPTER THREE: METHODOLOGY

3.1	Research Design	78
3.2	Population for the study	78
3.3	Sample and sampling techniques	78
3.4	Instrumentations	82
3.4.1	Employees' Employment Discrimination Questionnaire	82
3.4.2	Assessment of Trade Unions on Employment Discrimination Questionnaire	84
3.4.3	Assessment of Labour Officials on Employment Discrimination in the Organised Private Sector Questionnaire	86
3.4.4	In-depth Interview (IDI)	86
3.4.5	Themes for IDI Interview guides for Trade Union members	87
3.4.6	Themes for IDI Interview guides for staff of the Inspectorate department, Ministry of Labour and employment	87
3.4.7	Key Informant Interview (KII)	89
3.4.8	Themes for KII Interview guides for Labour practitioners	89
3.5	Procedure for data collection	89
3.6	Method of data Analysis	89
3.7	Ethical Approval	89

CHAPTER FOUR: RESULTS AND DISCUSSION OF FINDINGS

4.1	Analysis of Demographic data of Participants	92
4.2	Analysis of Research Questions	102

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1	Summary	148
5.2	Conclusion	149
5.3	Limitations of the study	150
5.4	Recommendations	150
5.5	Contributions to Knowledge	152
5.6	Suggestions for further studies	152
	References	153
	Appendices	181

LIST OF TABLES

Table 1.1:	Organisations and Trade unions used for the study	10
Table 3.1:	Organisations population and sample size selected for the study	80
Table 3.2:	Trade Union Executives Population and Sample size for the study	81
Table 3.3:	Information on IDI sessions conducted	88
Table 4.2.1:	Responses on Employees’ reaction to discrimination	111
Table 4.2.2:	Responses on Trade unions reaction to employment discrimination	115
Table 4.2.3:	Responses of Employees on awareness of employment discrimination redress mechanisms	122
Table 4.2.4:	Responses of Trade unions on awareness of Employment discrimination redress mechanisms	123
Table 4.2.5:	Responses on effect of employment discrimination as perceived by employees	128
Table 4.2.6:	Responses of Employees on Trade Union roles in eliminating employment discrimination	131
Table 4.2.7:	Responses on Labour statues availability and functionality in curbing employment discrimination (Employees perspective)	134
Table 4.2.8:	Responses on Labour statues availability and functionality in curbing employment discrimination (Trade unions perspective)	135
Table 4.2.9:	Responses on Labour statues availability and functionality in curbing employment discrimination (Ministry of Labour’s perspective)	136
Table 4.2.10:	Responses on the roles of the Ministry of Labour in curbing employment discrimination (Employees perspective)	142
Table 4.2.11:	Responses on the roles of the Ministry of Labour in curbing employment discrimination (Trade Unions perspective)	143
Table 4.2.12:	Responses on the roles of the Ministry of Labour in curbing employment discrimination (Ministry of Labour’s perspective)	144

LIST OF FIGURES

Fig 2.1:	Trade Dispute Resolution process in Nigeria - Corporate and Commercial Group at Advocate Law Practice 2016.	54
Fig 2.2:	Conceptual framework for a comprehensive understanding of the causes, nature and consequences of work-base discrimination in the Organised Private Sectors	75
Fig 4.1:	Distribution of respondents of selected organisations	92
Fig 4.2:	Representation of employees by age range	92
Fig 4.3:	Depiction of employees by gender	94
Fig 4.4:	Distribution of employees by religion	94
Fig 4.5:	Representation of employees by educational qualification	96
Fig 4.6:	Depiction of respondents by trade union	96
Fig 4.7:	Distribution of TU participants by sex	98
Fig 4.8:	Representation of Labour official's by age	98
Fig 4.9:	Depiction of Labour official's by sex	100
Fig 4.10:	Distribution of Labour official's respondents by educational Qualification	100
Fig 4.2.1:	Form and prevalence of employment discrimination by gender	103
Fig 4.2.2:	Form and prevalence of employment discrimination by ethnicity	103
Fig 4.2.3:	Form and prevalence of employment discrimination by religion	107
Fig 4.2.4:	Form and prevalence of employment discrimination by age	107
Fig 4.2.5:	Factors that leads to discrimination in employment as perceived by employees	118
Fig 4.2.6:	Factors that leads to discrimination in employment as perceived by Trade Unions	118

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

For centuries humans have used demographic features to group, rank and divide themselves, this division and categorisation is to make human interaction and involvement with each other efficient. However, when such categorisation infringes on the wellbeing and living standard of an individual or group then discrimination has occurred. International Labour Organisation (ILO) Convention No. 111 on Discrimination (Employment and Occupation), 1958 defines discrimination as any distinction or partiality based on race, colour, sex, religion, political opinion, origin and national extraction that gives rise to nullifying or impeding equality of opportunity or treatment in employment as might be decided after consultation with the representatives of employers' and workers' organisations, if any, and other relevant bodies. Owoyemi and Olusanya (2014), submit that discrimination is a sociological term that refers to an unjust treatment of people or groups hinged on divisions, classifications, and categorisations. Therefore, discrimination occurs in the employment process, all over the world, every time a worker is repudiated or favoured because of factors that have nothing to do with the ability to perform effectively and efficiently on the job, leading to the loss of equal opportunity and treatment (ILO, 2003).

Some scholars (Agyare, 2020; Gleeson, 2019; Elei, 2016; Mbah and Okeke, 2016) have established the existence of discrimination in employment and acknowledge that discrimination leads to high employee turnover, job discontentment, lack of creativity, indolence among other negative employee's work outcomes. Discrimination persists, and its persistence is one of the factors that increase the rate of poverty, unemployment, underemployment and employment in undesirable jobs. Thus, there seem to be a deficiency in the effectiveness of laws, mechanisms along with educational programmes in place to prevent discriminations at work. These include policy coherence and synergy at the

national and organisational levels, Labour Officials and Trade Unions efforts at addressing discrimination at work. Discrimination in occupations take many as well as different forms, and occurs at different stages of employment, employment discrimination is an unjust denial of career and job opportunities and benefits in the process of hiring, discharge of duties, promotion, termination and compensation in employment (ILO, 2011).

Discrimination prevents people from certain professions, jobs as well as been rewarded based on merit or brilliance because of their demographic profile (age, ethnicity, religion, gender, disability, medical records and so on). This generates social and economic deprivation that lead to incompetency at work, absenteeism, unequal income, assets and opportunities; thereby fostering poverty, prejudice, stereotypes, employment in precarious or vulnerable jobs and social exclusion. All these have dire and pernicious consequences on the physical, financial, mental and social life of the discriminated persons or group. Organisations are also limited in competitiveness and the attainment of their vision and mission because the right sets of human capital are not invested in; this deters and slows down organisation and economic growth.

Discrimination restricts upward social mobility and access to adequate standard of living, discrimination in employment can occur based on age; discrimination based on age is a rampant feature in the employment process in Nigeria. Anecdotal evidence show that most employers would advertise for ages below 30 for job entry levels with years of experience, while most fresh graduates range between the ages of 24 to mid-30s due to the incessant strike actions in Nigerian public schools which affect their graduation time (year). Also, gender discrimination is another form, based on social construct that does not impact on job performance but on physiological factor, for example tagging the nursing profession as a famine job because it is seen as an extension of female's natural responsibility to care for and nurture, or requiring a test for pregnancy before a woman can be considered for a job or when spousal consent is needed to gain employment. Other times it could be on the bases of religion; when an employee is ostracised because of his or her religious affinity at work. People can also be treated unjustly based on their tribe and race. Other forms in which it can occur includes, discrimination based on remuneration which occurs when an employee is denied and paid less than other colleagues with equal qualification and

productivity. Some employers would require a female prospective employee to be single at point of entry to a few years after employment; this is based on marital status. Besides, it could be on medical records, when a prospective employee is not hired or an employee is dismissed based on perceived or actual health status, for example, HIV/AIDS status. Also, discrimination could be on the bases of disability; when an applicant or employee is treated with bias based on the perceived hindrance the disability might cause while carrying out job responsibilities.

Discrimination denies people of their voice and full participation in the workplace, thereby undermining democracy and justice in the workplace. The ILO as a body that regulates Labour laws across the world, therefore, says to gain equality in the place of work and institute decent work, all forms of discrimination must be eliminated for individuals to attain their full potentials and reap appropriate economic rewards based on merit. Hence, addressing decent work deficits requires an in-depth comprehension of discrimination and consistent monitoring of its manifestations, social and economic impact, in private and public sectors (ILO, 2003).

The private sector especially the organised (formal) sector is an alternative means of providing decent/meaningful work as recognised by ILO (2003) together with the (International Finance Corporation, 2011). It is a major contributor to national income by generating revenue to the government by tax payment and serves as an alternate job creator; it complements the public sector by supporting and reinforcing production of goods and services, in addition to generation and expanding availability of labour opportunities to the populace. The Organised Private Sector (OPS), which is the focus of this study, comprises of organisations managed by individual(s) whether solely or in partnerships to generate profit to the owners, while providing excellent goods and services to the consumers and the society. Organisations in the OPS are legal entities that are situated in Nigeria, registered by the Corporate Affairs Commission (CAC), and may or may not be logged on the Nigerian Stock Exchange depending on their type of registration as well as meeting required criterion. These organisations have various benefits such as provision of job security as well as promotion, insurance and medical claims, availability of overtime pay, paid leaves, medical leaves, training and career development to employees, mentorship,

succession planning, contributing to Gross Domestic Product (GDP) of any nation and performing corporate social responsibilities to the communities in which they are situated to mention a few..

Asides, they create investment opportunities as an additional source of income for the people who buy into company shares, and most importantly they create decent jobs for the work force, hence, improving standard of living and promoting sustainable economic growth and development. These immense benefits of the OPS should ordinarily have a positive profound effect on the labour force, consumers and the society at large; however, it could be observed that one of the factors that hinder access to these benefits is employment discrimination. Osah, Ukoha and Alagah (2017) showed that discrimination based on gender, ethnicity and religion affected employees' performance negatively in the Nigerian food and beverage sector. Likewise, Nigeria Decent Work Country Programme II (2015-2018) submits that women encounter considerable discrimination in Nigeria including employment in formal employment, while those employed do not collect equal pay for same work due to government tolerance of customary and religious practices that adversely affect women. Nwanna (2005) submits that employment discrimination happens at the recruitment and selection stage based on medical status.

Ahmed (2012) stated that women are discriminated against in the banking sector based on marital status, pregnancy and maternity leave. He went further to say that both gender that is male and female employees in this sector also face discrimination based on age, educational qualification as well as tertiary institutions attended. Ihedioha (2015) showed that there are discriminatory practices based on employment, promotion and execution of duties on the job towards People Living with Disability (PLWD). Numerous reports of the ILO describe bias at work as an abuse and violation of human rights that waste human talent and harm productivity and economic growth for all involved (ILO Time for Equality at Work, 2003).

The elimination of discrimination in the workplace is fundamental if the value of human dignity and individual liberty, social justice and social cohesion should transcend formal declarations. The OPS must drive equity in employment and opportunities as well as protection of workers right, because these are the bases on which decent work and

productive employment is fostered. ILO, 2018 says the OPS is important to generating decent job, an opinion buttressed by the Sustainable Development Goal (SDG) goal 8, that encourages inclusiveness along with economic growth to sustain decent work. Furthermore, ILO, 2019 reports that 39% were employed in formal work globally; while anecdotal evidence shows that there are more people in the informal sector than in the formal sector in Nigeria due to reasons such as bias in formal employment.

Previous studies have focused largely on gender involvement in Trade Unions (Momoh, 2003), predictors of women participation in organisational decision-making (Esan, 2010), Labour inspection parameters as correlates of decent work (Ajakaye, 2011), work place discrimination and employee performance (Osah, Ukoha & Alagah, 2017), gender discrimination and how it affects firms' performance (Athea & Daisii, 2014), perceived organisational support and interpersonal relationship as correlates of employees turnover intention (Adejobi, 2015), influence of organisational structure and employee motivation on productivity (Adenusi, 2015), gender discrimination and its impact on employees in the workplace (Channar, Abbassi & Ujan, 2011), impact of organisational culture and societal perception on discrimination in the workplace (Kartolo & Kwantes, 2019). However, none had taken a critical look at existing practices that sustains discrimination, in order to understand and properly determine ways to curtail and limit the spread of this phenomenon to ensure equal opportunity and treatment, particularly in the OPS. Thus, there has been a dearth of comprehensive research on employment discrimination in the OPS with a view to understanding its dimensions (prevalence and forms, predicting factors, redress mechanisms available, effects, trade union reactions, statutes instituted to curb it and the role of the Ministry of Labour), hence this survey.

1.2 Statement of the problem

Studies above have revealed that employment discrimination is persistent within the Nigerian economy and is a common phenomenon in the OPS. Employment discrimination has aroused a keen interest among researchers across numerous fields since nobody is immune to discrimination. Individuals in the Nigerian workplace are often

denied jobs, restricted to certain occupations, or paid less simply because of their sex, religion, or skin colour, regardless of their ability or meeting job requirements, as shown in the studies afore mentioned. At its worst, discrimination encountered by individuals or groups in various stages of the employment process could leave them unemployed, underemployed or employed in undesirable jobs. Barriers to decent work could force parents to rely on child labour for a living, hence, curtailing discrimination in order to increase availability and entry into decent work for individuals requires a proper understanding of its dimensions.

The paucity of an in depth probe into discrimination in employment in the OPS to discern and comprehend its various aspects, (prevalence and forms, predicting factors, redress mechanisms available, effects, reactions, statutes instituted to curb it and the role of the Ministry of Labour) necessitated this research into the dimensions of employment discrimination in the OPS of Oyo, State, Nigeria.

1.3 Objectives of the study

The major objective of the study investigated the dimensions of employment discrimination in the Organised Private Sector of Oyo State, Nigeria. The specific objectives are to:

- i. ascertain the forms and prevalence of employment discrimination existing in the OPS of Oyo State,
- ii. determine employees' individual and collective reactions to such discriminations,
- iii. establish the factors contributing to the existence of employment discrimination in the OPS,
- iv. determine employees' awareness of the availability of provisions of seeking redress,
- v. examine effect of employment discrimination on the employees and the organisation,
- vi. ascertain the role and actions of the trade union to eliminate employment discrimination,

- vii. determine the availability and operationality of labour statutes in curbing employment discrimination, and
- viii. establish the role and functionality of the Ministry of Labour and Employment in tackling employment discrimination

1.4 Research Questions

The ensuing research questions were posed to conduct the study:

- i. What are the forms and prevalent forms of employment discrimination existing in the OPS of Oyo State?
- ii. What is the employees' individual and collective reaction to such discriminations?
- iii. What are the factors contributing to the existence of employment discrimination in the OPS?
- iv. Is there awareness among employees about the availability of provisions of seeking redress?
- v. What is the effect of employment discrimination on the employees and the organisation?
- vi. What is the role and actions of the trade union in eliminate employment discriminations?
- vii. Are labour statutes available and functional in curbing employment discrimination?
- viii. What is the role and functionality of the inspectorate department of the Ministry of Labour and Employment in tackling employment discrimination?

1.5 Significance of the study

This study helps to facilitate equity in the workplace and bring about reduction in discrimination, prejudice and stereotypes in the society. Eliminating discrimination in employment develops human ability, also, when used effectively paves way for more employment in decent work which is sure to translate to increase in standard of living of

workers and their dependents thereby giving them opportunity for advancement socially, financially, career wise, as well as be able to gain access to better health services and education, likewise reducing child and forced labour. Elimination of discrimination brings about a heterogeneous workforce, likely to please diverse consumers and the populace, by the later been able to identify with such organisations leading to increase in profit and healthy business competitiveness. The existing forms as well as the most prevalent forms of discrimination in employment are identified in private organisations in Ibadan metropolis, identifying those that are most discriminated against in private organisations in Ibadan metropolis, allows inclusion measures be put in place for this groups.

Factors that contribute and sustain employment discrimination at work were determined and this will allow policy makers make adequate policies to curb such factors at work. Also, it will assist in the formulation of appropriate government and organisational acts, statutes and policies to improve workplace culture and employee work life. It ascertained the reactions, awareness of the employees as well as their attitude individually and as a group to employment discrimination, which was found to sustain discrimination, thus, adequate trainings, educational and sensitisation programmes must be put in place to change reactions and attitude towards discrimination in order to curb it in occupations. The study proffers information about the availability of internal mechanisms for seeking redress which were in place; employee's awareness of them is grossly inadequate. Most importantly, it provides an insight to the stakeholders on the aftermath of discrimination on the individual workers, accomplishment of organisational objectives and the country at large; showing that discrimination directly and indirectly affects everybody, this insight might facilitate change in behaviours and perceptions that discourage discrimination.

The inactiveness of Trade Union and the Ministry of Labour when it comes to discrimination was made obvious, therefore efforts must be put in place by them to ensure that employers provide a viable and conducive non biased place of work for employees in the private sector. Likewise, the study helped to establish that anti-discrimination laws were not available on the four forms of discrimination to guide and guard against them in the work place. It helps to determine the degree to which discrimination undermines the achievement of equal opportunity and its effect on the organisation, realisation of this

might increase the candidate pool for organisations which increases the chance of an organisation recruiting and promoting qualified and experienced workers. Finally, the findings add to the existing data base for further studies on employment discrimination.

1.6 Scope of the Study

The study probed for information on dimensions of employment discrimination in the OPS of Oyo State, Nigeria, in order to gain a deeper understanding and better perspective of the different dimensions of bias in employment that exist in Nigeria, particular the OPS in order to establish appropriate means and procedures to curb it. The study was delimited to the OPS in Oyo State because there has been extensive research into the public formal sector, while the private formal sector has witnessed a dearth of research; therefore a broad research was done to include the unions that exist in the private sector and the Ministry of Labour and Employment in Oyo State. Apart from the public sector, it is the only other segment with a well-structured system with clearly defined rules and regulations which makes it possible and less cumbersome to identify discriminatory actions when they occur. The sector also has numerous organisations that can be used in the State.

Employees of six organisations were used for the study; these are organisations that the study had accessibility to the employees. They are Zartech Limited, Sumal Foods Limited, Yale Foods, Sweetco Foods, Premier Hotel and Sterling Bank, with trade unions (TU) existing in each sub-sector the organisations belong to. Finally, four forms of employment discriminations that continue to persist that is gender, ethnicity, age and religion were researched into because they have been found to have negative repercussions on the society.

Table 1.1: Organisations and Trade unions used for the study

Sector	Sector classification	Sub-Sectors	Organisations	Trade Unions
	Primary	Agriculture	Zartech Limited	Agricultural and Allied Employees Union Officials (AAEUO)

Private	Secondary	Manufacturing		Sumal Foods Limited, Yale Foods, and Sweetco Foods	National Union of Food and Beverage and Tobacco Employees (NUFBTE)
	Tertiary	Services	Hotel	Premier Hotel	National Union of Hotels and Personal Services Workers (NUHPSW)
			Financial institution	Sterling Bank	-

1.7 Operational definition of terms

The following terms are defined as used in the study to remove ambivalence:

Employment discrimination: is the unfair and undue advantage taken by organisations management, employers or employees in the OPS of Oyo State, over job seekers and employees during employment process.

Dimensions: the manifestation of employment discrimination from its forms to the labour statutes available to address it.

Discriminated group: are a group of employees in the private sector that are purposely treated negatively based on social class, affiliation, and categorisation thereby denied their

fundamental human right to be employed, promoted trained or given meaningful responsibilities at work.

Demographic factors: these are characteristics used to categorise people and foster discrimination. In this study these will include gender, age, ethnicity and religion.

Organised Private Sector: this is a segment that comprises of private organisations (individual owned companies) within the economy of Oyo State.

Provisions of seeking redress: this is the medium or structure available to address or set a situation right or compensate an aggrieved individual in a dispute.

Ministry of Labour and Employment: is the appointed body that regulates activities that occur in the employment process.

Labour Statutes: are bodies of rules that govern all actors and situations in employment relations system.

Collective reactions: these are responses by different actors in employment to curb discrimination in employment.

Trade Union: is a body that is legally recognised globally to protect the right of employees in the Industrial Relations System.

Decent work: is the availability and provision of work which is inclusive, productive and pays a fair income to people irrespective of demographic.

CHAPTER TWO

LITERATURE REVIEW

2.1 Concept, Types and Importance of Organised Private Sector

Private sector denotes organisations that engage in commercial actions by producing goods; provide services as well as different commodities. These include financial institutions and intermediaries, small and medium enterprises (SMMEs), sole

proprietors, farmers, cooperatives, and large companies operating in the formal and informal sectors. This definition excludes independent foundations, non-governmental organisations (NGOs), civil society organisations, and business associations. The private sector is a catalyst for development of a society by its normal business activities. It provides economic growth by means of investment-related activities, employment generation, and allocation of goods and services (Di Bella, Grant, Kindornay & Tissot, 2013). The Development Assistance Committee (DAC, 1994) of Organisation for Economic Co-operation and Development (OECD) describes the private sector as the fundamental organising principle of economic activity, where private property is a key factor, where markets and competition are the productive forces, where individual's act and courage initiate operation.

An organisation in the organised private sector is a firm or corporation that is registered with the government through the appropriate agencies with a well-defined organisational structure to determine the hierarchical levels within. OPS are the ones whose activities and operations are not determined through but they are regulated by Government activities. Numerous terms, including capitalism, free enterprise structure, autonomous banter economy, market system, and profit system are frequently used to refer to private sector businesses (Imaga, 2003). A productive private organisation has attributes, adapted from Imaga (2003) discussed below. The major attributes are:

Private enterprise ownership: here an individual or group owns the company or workplace enterprise as against been owned by government. Business owners have the right to operate their business with minimal outside interference, to retain control of most of the wealth made, to contest without hindrance with others for resources and methods of operation legally and to take part in business either individually and by investing capital without restraint.

Limited Role of Government: for private business, government involvement is restricted to regulating conditions in which business operation is executed. Government has limited control over the execution of organisational aims and objectives, methods of production, and the organisational culture and behaviour adopted, but they lay down rules which must be strictly complied with by regulating the activities of these organisations. Rules such as

what conditions employees must work in or under, regulating the types of consumer goods produced and supplied to the society, regulation of revenue in tax to be paid to the government based on profit made and so on. Thus government gives a general standard that is applicable to business operations by these organisations.

Profit oriented: the primary motive of a private owned organisation is to make profit from the establishment of such organisation. Therefore, they efficiently allocate resources in a market system so as to maximise the profit margin. Profit is the extra money an entrepreneur or person gets for what was invested to produce and sell product and services. Other characteristics include:

Job security: this is a guarantee that a person will continue to work without the risk of becoming unemployed in the foreseeable future or until an employee makes a decision to move on to a better organisation. Employment security may be based on terms of employment contracts, collective bargaining agreements or labour laws that provide for continued employment and prevent arbitrary dismissal. Lack of employment security is the situation where people with jobs are at high risk of becoming unemployed. Being secure in one's employment is important to the worker and employers, from the worker's view, job security means stable pay, not worrying about being jobless all the time, these, aid performance. An organisation that makes its employees feel secure entice and keep employees, they are to make sure they employ those most qualified for the job, by telling employees that their work is safe and that they are a vital part of the team, the organisation creates employee loyalty and the urge to work hard. This does not imply that workers who do not live up to expectations should not be fired, because a link must exist between performance and job stability. However, faithful and hard workers must be retained by rewards and the knowledge that they cannot be easily replaced by someone cheaper (Hamlin, 2018).

Pay: this often refers to an employee's total remuneration; this includes not only an individual's taxable base salary, but also additional fees such as bonuses, expense accounts, and other forms of compensation. The amount and form of remuneration depends on many factors, including the employee's value to the company (full-time or part-time, manager or entry level), type of work (fixed or hourly, as well as commission which is based on the

position of the employee) and the company's business model. Remuneration also known as salaries in the OPS are paid on monthly bases usually in Nigeria. Salaries are paid to employees based on the minimum wage as prescribed by the Federal Government and or are increased by management intermittently based on companies financial growth.

Career development: this is a prominent feature of these organisations, as a full time employee of an OPS, such employee is entitled to promotion (based on the evaluation of his or her performance) as determined by the existing policies in the organisation or has laid down by the Government. Trainings, workshops, seminars and succession planning are tools used to bring about career development in an organisation.

Benefits and Compensations: the employee in the OPS are entitled to certain benefits which are different from their salaries, benefits such as overtime pay, paid leaves, travel compensations, medical claims for themselves and members of their families, trainings and training benefits among others.

According to Vaes and Huyse (2015) private businesses have different roles to play in an economy; in particular, OPS act as beneficiaries, implementers, innovators, resource providers, or participants. The private sector can benefit from development of corporate domain, finances, skill enhancement, technical assistance, information dissemination and exchange. This sector plays a role as an innovator and executor in terms of reinventing (rebrand) and executing new work models in terms of social, economic or ecological sustainability. It supplies resources by investing money, skills, among other (monetary and non-monetary), in programmes or innovations with the aim to bring about development. Private sector participates in development oriented schemes such as policy consultations, information dissemination among others. Finally, the private sector is ear marked by all stakeholders seeking to change business practices. The private sector has numerous roles in providing engaging activities across all sectors, roles that are not mutually exclusive.

Private organisations are owned by one person or more and the activities of these organisations are limited to selling important items, manufacturing as well as allocation of goods like clothes, edibles among others. These tasks differ from the government's, that is saddled with the gigantic duty of providing national safety, external and diplomatic ties, printing together with minting of money, maintaining peace, provision of good healthcare,

defend in conjunction with bringing about an egalitarian society, management of public debt and social wellbeing of the people (Barney & Griffin, 1997). In any economy, developing or developed, private sector's duty in sustaining economic growth is always top priority. Recent economic experience worldwide, strongly confirms the segments position in hastening the growth process. The private sector should increase its pro-activeness not only in pushing the economy's productive frontier, but also in providing meaningful decent jobs which would certainly improve people's standard of living (Osemeke, 2011).

Recognising the important role of government in the economy, governments typically adopt various policies and numerous other initiatives to provide an atmosphere conducive to private sector participation to boost the economy. The policies include reforming industrial policies along related laws, adopting liberal sectorial policies in line with general economic policy, and establishing institutions to support private initiatives. Among the anticipated democratic proceeds in Nigeria is for the private sector to thrive resulting from the liberalised environment that has brought democracy (Afolabi, 2004).

The private sector has various means and modes of operation grouped into Sole proprietorship (this mostly occurs in the unorganised private sector), Partnerships, Private Limited Company (Ltd) and Public Limited Company (PLC).

Sole proprietorship: a sole proprietorship is a business owned by one person who has the daily responsibility for running the business, is entitled to all benefits, and responsible for all liabilities. This sole trader is the easiest, offering full control and minimal government intervention. It is now used by over 75percent of all businesses and is often the preferred route for new businesses without the risk of significant personal debt. The main advantages that distinguish a sole proprietorship from other businesses are the ease of incorporation, freedom of choice for the owner, and profit sharing (the owner handles everything). However, being a sole proprietorship is not without its drawbacks such as unlimited liability. If the debts exceed company's assets, creditors will claim owner's personal assets, home, cars, savings accounts, and investments to cover the value of the debts, that is, the law treats the business and owner as one (Sole proprietorship, Partnership and Corporation and Council Curriculum Examination and Assessment CEA, 2008). Also, the growth and reach of a sole proprietorship most times is limited compared with other types of private

businesses. Sole businesses sometimes tend to have more difficulty raising money and retaining crucial employees, as they generally have fewer resources and fewer career advancement opportunities. So, choosing a sole proprietorship means readiness to become a factotum performing a variety of responsibilities from accounting to advertising (sole proprietorship, partnership, corporation).

Partnership: is a business run by two or more individuals who agree to share interests. This type of partnership can be established by verbal or written agreement. Verbal agreements often lead to misunderstandings and often lead to disputes. Therefore, any form of partnership must be accompanied by a written agreement setting out the contractual details such as, the rights and obligations of each partner, the amount of capital each partner invests in the company, the distribution of profits, what happens when a partner joins or leaves the company, and how the assets are divided when the business ceases to exist, this specified terms will help resolve disputes according to predetermined rules (Sole proprietorship, Partnership and Corporation & CEA, 2008). Various forms of partnership are possible, with all partners sharing debts and profits equally, or with limited liability for some partners. Limited liability means that an individual or shareholder is not personally liable for the company's debts, but only for the amount invested in the company (CEA, 2008). Not all partners are involved in the daily operations of a company; such partners are called "silent partners". In some situations, partnerships are given preferential tax treatment compared to corporations. Commercial business partnerships entered into by two or more people can be broadly classified into three types: general partnerships, limited liability partnerships, and limited partnerships. In a general Partnership all parties equally share the legal and financial responsibilities of the partnership. The principle is to distribute profits equally, but the details of profit distribution would most certainly be set out in the contract. A limited liability partnership (LLP) is mostly used by professional businesses such as accounting firms, law firms and so on. This limits a shareholder's personal liability so that, for example, if a shareholder is sued for wrongdoing, the personal assets of other shareholders are not at risk. Some law and accounting firms distinguish between a stock partner and a salary partner who has no ownership interest in the partnership. They are paid

bonuses based on company profits, but this is neither required nor guaranteed (Sole proprietorship, Partnership and Corporation & CEA, 2008).

The Limited Partnership (LP) is more complex than the general partnership, it is a partnership owned by two classes of partners, general partners manage the enterprise and are personally liable for its debts; Limited partners bring in capital and share in profits, but usually do not participate in the management of the company. Another notable difference between the two classes of partners is that Limited partners are not responsible for the company's liabilities beyond their capital contribution. Limited partners enjoy the same liability protections as corporate partners. Limited partnerships are often utilised in the hospitality industry where the founder acts as the general partner and the investor acts as the limited partner. Limited partnership is a hybrid of general partnerships and limited liability partnerships, at least one partner must be a general partner, with full personal liability for the partnership's debts, while at least one partner's liability must be limited to the amount she/he has invested in the partnership. This person(s) is or are sometimes referred to as a silent partner(s), such partner(s) do not participate in the management or day-to-day operation of the partnership (Sole proprietorship, Partnership and Corporation & CEA, 2008).

Limited Liability Company (Ltd): is a legal entity separate from its owners, the shareholders. The simplicity of operating a limited company makes it the most common form of legal entity in Nigeria. Unless secured against the company the shareholder's risk is only mitigated by the money invested in the company, not all the shares held by the shareholder. Limited liability companies are also respected by other companies and the public for their legitimacy and information recorded with the Corporate Affairs Commission (CAC). Anyone wishing to do businesses with a limited liability company can pay a small fee to the CAC to verify who is affiliated with the company and the financial condition of the company.

A private limited company has little restrictions; hence, it is a simple solution for many businesses. The minimum requirements for forming a limited liability company in Nigeria are:

The company is in Nigeria and must be registered with CAC.

The company name must not be similar to any other company name on the CAC register.

At incorporation, at least 25% of the authorised shares must be allocated.

At least two people over the age of 18 must sign the Articles of Incorporation.

The total number of members of a limited liability company cannot exceed fifty (50) persons, excluding those employed by the company.

The authorised share capital cannot be less than N10, 000 (Nigeria Information, 2017).

Public limited company (PLC): the PLC name is more commonly used in the United Kingdom and some Commonwealth nations, rather than Inc. or Ltd that are the standard in United States and some other countries. The compulsory use of the abbreviation PLC behind the company name indicates that the company is publicly traded and probably very large. Like all other large corporations, PLCs are highly regulated and must publish true financial statements, audited by external auditors to allow shareholders and prospective stakeholders to assess the shares exact value hence, the death of a shareholder does not end the existence of the company. PLC is incorporated like any other legal entity, incorporation requires two or more people and is formed by filing articles of incorporation stating its purpose, membership, and capital. Like a limited liability company, a public company is a legal entity and therefore a separate entity from its owners. A limited liability company grants limited liability to its shareholders and limited liability to its management. A public company differs from a private company in that it can raise capital by going public (sell shares) and be listed on a stock exchange but by using the suffix PLC in a company name does not necessarily mean that the company is listed. Rather, it means that it meets the requirements but has chosen not to be listed among others (Council for the curriculum examination and assessment CEA, 2008). A PLC must have an authorised share capital of at least N500,000 and participants must acquire at least 25% of the authorised share capital. The cost of running a PLC is significantly higher than that of a limited liability company. Therefore, it is more suitable for large organisations (nigeriainformations, 2017). The main advantage of forming a PLC is, of course, the ability to raise capital by issuing public shares. Going public means anyone can invest in the company, this means that a PLC can raise more capital than a limited liability company. Listing on an exchange may also attract interest and investment from hedge funds (offshore mutual funds), mutual funds, and other

traders. Becoming a PLC also means spreading the risk by giving people the opportunity to buy its stocks and they are buying with the risk in mind. It also means great potential for growth and expansion, allowing PLC to pursue new projects, buy more products, pay off debt and fund research and development. A PLC must have at least two directors, accounting must be more transparent, and the PLC must hold an Annual General Meeting (AGM).

Hence, the significance of the private sector cannot be played down, the OPS is a very important sector in any economy; they support and help the government to achieve sustainable economic growth. The private sector is vital because they:

Provide goods and services: supply of services and goods by organisations lets buyers and sellers discover information leading to exchange of goods with services at the best price. The manufacturing of goods and availability of services by organisations in the economy makes possible consumption and enjoyment of same types as well as different varieties of goods and services from different sources that consumers could not have made on their own or that may be cumbersome to produce if consumers had to produce everything on their own. By offering consumer goods (either goods or services), both consumers (buyers) and producers (sellers) can benefit from the transaction. Producers can manufacture and sell various types of products in reasonable quantities and provide profitable services. Consumers communicate information on quantity and quality of goods including the services they want through the marketplace by making decisions to buy or not to buy certain products. Through the market, companies determine the products and services that consumers want and produce those products and services. As a result, consumers experience a cheaper and better standard of living as goods together with services are provided by businesses that improve their lives. Specialisation in production of a particular goods or service leads to massive production which increases consumer's consumption thereby enhancing expansion of business and more jobs are created (Tejvan 2011 & Bairagya, 2010).

Create decent job opportunities: creation of jobs is the process of generating jobs for the labour force of a particular locale. Creation of jobs by the OPS leads to reduction in unemployment and underemployment. Availability of decent work opportunities drives

economic growth and a healthy, innovative and committed work force. OPS was believed to have the ability to create more opportunities by increasing domestic investment in the economy and making better use of both human and material resources in the production process, as a cardinal means of achieving economic development. These organisations give rise to high productivity which in turn leads to the employment of a large number of labour to execute various activities in these organisations (Tejvan 2011 & Bairagya, 2010).

Offer of better quality of life: this sector provides better living condition for the society, by making available the needed services and goods to consumers with the consumers encountering little to no stress in acquiring them. Also, by creating jobs through establishment and expansion of the business, the employees earn income which sustains them and their dependents. Likewise, the society benefits through corporate social responsibility engaged in by the organisation to the community. OPS give members of the society the opportunity to buy into shares existing in the company which serves as an alternate source of income and brings about a sense of belonging to the shareholders.

Contribute to economic growth of a country: economics believe that if real Gross Domestic Product (GDP) increases, unemployment will fall, implying that significant job opportunities will be or has been generated. Thus, OPS add significantly to the GDP of a country, hence contributing to the economic growth due to their capacity to engage a large number of people in employment to meet their production capacity.

Promote human capital development: economist Schultz (1961) coined the term "human capital" in the 1960s to reflect the value of human capabilities. He believed that human capital, like any other kind of capital, could be invested through education and training, and that investment would lead to higher quality and level of production. Organisations often depend on workers, in short, the directors, employees, and managers who make up an organisation's human capital are critical to its success. Human capital is the quantification of the economic value of workers' skills. The human capital concept recognises that not all workers are created equal and investing in them through education can improve their quality (such as sending them on courses, trainings among others) and experience, all these then translates to high economic gain for employers and the economy at large.

Human capital has four key attributes, flexibility and adaptability, individual skill development, organisational skill development, and individual employability. These attributes enhance individual and organisational outcomes as human capital development leads to improved organisational performance and sustainable competitive advantage (Garavan, Morley, Gunnigle, Collins 2001 & Noudhaug, 1998). Human capital leads to economic growth; this is why some governments provide higher education free or cheap to their individuals because they recognise that a relationship between human capital and the country's economy exists. Because, people with higher education will most times earn larger salaries when employed, meaning they are able to spend more.

Promote small, micro and medium enterprises (SMME): according to Bairagya (2010) the organised and unorganised sectors are connected by production, consumption and technology. The link between formal and informal sectors is measured by outsourcing that is perpendicular intercompany relationship connecting the two sectors. The informal companies also produce both consumption and capital goods, which are consumed by both individuals and OPS, that is, they provide consumables to the high, low and middle income workers as well as the OPS thus, informal sectors production is complementary to the formal sector. The OPS in recent times has done a significant amount of sub-contracting production stages that could be done by the informal sector (unorganised sector) that increase production time for them and at a reasonable cost to the informal sector. By outsourcing the production of semi-finished products to the informal sector, the formal sector lowers production costs and increasing capital flow in the informal sector.

Thus, the outputs from informal sector are raw materials for the formal sector, hence, subcontracting between formal and informal sector, leads to an alliance that encourages the growth of both sectors. Sourcing of materials locally from the informal sector by the OPS for production sustains the former through the huge business transaction that happens between the sectors. This is supported by Di Bella, Grant, Kindornay and Tissot (2013) where they reported that via regular business interactions, the OPS can support the unorganised private owned businesses by sourcing from SMEs/SMMEs, thereby encouraging environmental sustainability. By contracting out jobs to the SMMEs the OPS help in developing, testing and refining entrepreneurial talents and production by

insisting and driving the SMMEs to deliver the best possible products they can, thereby, leading to a little bit of research and development occurring within the unorganised private sector to meet the OPS criteria. Additionally, OECD (2016) notes that responsible work behaviour, corporate social responsibility and inclusive business are OPS mandates.

Responsible business behaviour: the OECD investment framework points out that responsible work behaviour includes adherence to laws like respect for human rights, protecting the environment, good industrial relationships and fiscal accountability (OECD, 2015b). This includes working towards meeting societies expectations related to environmental, social and economic performance communicated through non-legal mediums that is intergovernmental organisations, in the workplace, in the community and unions, or through the press.

Corporate social responsibility (CSR): CSR activities are one of accountable business behaviour highlighted by the OECD (2016), CSR is an initiative for companies to recognise, measure and assume responsibility for their impact on the environment and the well-being of the society. It is a self-regulating business model that helps companies to be socially responsible to themselves, their stakeholders and the public. CSR is a commitment by business executives to act, protect and improve their businesses interest and interest of the populace. Diversification, expansion, opening new stores and closing existing stores, developing new products, replacing humans with machines, using new technology and so on, all these decisions and actions that management makes and considers have social implications that might affect the society in some way. Businesses must meet the needs and expectations of society by improving the environment in which they operate. Thus, whether the issue is serious or not, business organisations should keep social responsibility in mind before considering action, this benefits both society and the organisation at the long run by discouraging additional governmental regulation and intervention due to environmental neglect and so on, CSR creates a favourable public image as well as providing a sustainable and conducive society for the citizenry and the organisations themselves.

Inclusive business: it is a private sector effort to reach out to the poor and engage them as workers, producers, business partners in supply chains, or by developing economical goods

and services needed by the populace. Businesses should focus on making a profit and socially responsible activities (Asian Development Bank ADB, 2018; Gradl & Knobloch, 2010).

2.2 Organised Private Sector and Employment Generation

Employment generation is the provision of sources of income to individuals of working age to be able to provide and sustain their existence. ILO (2018) reported that the private sector provided employment for a vast number of the world's population in 2016. Thus, OPS size allows them to recruit and provide a large number of employments in various capacities in various departments existing in such Organisations. Although in Nigeria in recent years the OPS tend to contract out jobs rather than employ permanent staff in order to minimise cost of production. Nevertheless, generation of employment by this sector on a full time basis brings about the achievement of decent, stable, secure employment which brings about educational as well as career development and in general advancement of the human capital thus improving living conditions of employees as well as their dependents in all ramifications (such as finance, health, education, social relationships and so on). According to Fowler and Markel (2014) employment in this sector could be indirect, direct or induced employment:

Direct employment: this is recruiting and selecting a candidate by an organisation by itself without the use of an intermediary such as outsourcing agents. It could also be the direct employment of workers for a certain project such as construction.

Indirect employment: this is employment and jobs generated by the purchase of supplies or other items in producing goods and provision of services by OPS. Thus indirect employment relates to supplies and resources that are used in the provision of an end result, be it goods or services.

Induced employment: these are jobs that are generated by the employed (employees) of the OPS while spending their incomes. Induced work refers to benefits derived from increased costs caused by direct and indirect employment.

Generation of employment by the OPS should have a positive effect on the society, the creation of employment needed by the populace introduces income which leads to

spending thereby creating income to and for another, in other words when an income is spent, this becomes an income for someone else.

2.3 Organised Private Sector and Economic Growth and Development

Primary purpose of the OPS is to make and maximise profit while engaging in business activities in any type of market situation, in the process of maximising return on investment (profit) they engage in the process of producing, selling (goods and services as well as shares) buying, investing and saving, all this activities affects the growth and development of the GDP of a nation. The positive increase in development with growth is based on quality and quantities of the industries existing in a country has they provide employment, consumables, essential services, infrastructures as well as innovation among others to the nation. Economy as a word is Greek and means “household management”, Vishwas (2014) says, economy means the money earned, spent along with credits incurred by an individual or a country thus a countries economy depends on how much it earns by tax collection and from various resources be it natural or otherwise and how the country spends it on people and its infrastructure. It is the structure and conditions of producing, distributing and consuming goods and services in a country, region or period (Merriam-Webster dictionary, 2019).

An economy is an interrelated production and consumption venture that helps determine how to allocate scarce resources. The economy of a particular region or country is determined by its culture, laws, history and geography evolving according to its needs, as such; no two economies are the same. There are different types of economies namely market-based economy in which goods flow freely through markets according to supply and demand. Command-based economy relies on a central political agent to control the price and distribution of commodities. Other form which is evolving is called a green economy, it relies on renewable and sustainable forms of energy by relying on alternative energy sources and generally protecting the environment. Growth simply means the process of increasing in physical size, quantity, value, or importance. Economic growth is therefore the raise in an economy's ability to produce goods and services from one period

to another; it is an increase in output. Growth can occur without development, but there is no economic development without economic growth.

According to Tejvan (2011), economic growth in economics is an increase in real GDP, meaning an increase in the value of goods and services produced in the economy. Higher economic growth increases the production of goods and services, which in turn reduces unemployment and increases access to quality work as well as the living standards of the population (Haller, 2012). Economic growth is therefore a surge in scale and volume of production and how such an increase contributes to the monetary (wealthy) status of a country. Economic growth means an increment in the value of a country's production, income and expenditure. This is caused by two main factors: an increase in Aggregate Demand (AD), which represents the total demand for goods and services within the market, and an increase in Aggregate Supply (production capacity), which represents the full range of goods and services.

Economic growth means increasing overall productivity that affects the lives of people and nations. As the economy expands, corporate profits are soaring, which means stock prices are also rising. Organisations can then raise more money and invest more, creating more jobs for people. Economic growth leads to increment in income, which in turn leads to consumer willingness to buy. Economic growth can be created by discovering new or better economic resources. For example, before the discovery of the energy-producing power of gasoline, petroleum had relatively little economic value. After the discovery, gasoline became a preferable and more productive economic resource; another way to generate economic growth is to increase the workforce through job creation, produce superior technology and other capital goods. All things being equal, more workers produce more economic goods and services likewise the rate of technology growth and the degree of capital growth are highly dependent on the savings and investment rates of both employers and employees (Tejvan, 2011; Haller, 2012). Therefore, the benefits of economic growth to nations include:

Higher average incomes: this allows workers to earn more and consumers to enjoy more goods and services, thus enjoying a better standard of living. Economic growth in the

twentieth century is a key factor in reducing absolute poverty and increasing life expectancy.

Reduced unemployment: when output/production increases with positive economic growth, firms tend to hire more workers, creating more jobs.

Lower government borrowing: Economic growth leads to more tax revenues, which helps reduce government borrowing from external sources.

Improved public services: increased tax revenue means, government can spend more on public services, such as health services, education and so on.

Money can be spent on protecting the environment: when Gross Domestic Product (GDP) is increased, society can put more resources to promote usage and the recycling of renewable resources.

Investment: economic growth encourages businesses to invest to meet future demand, and more investment creates more room for future economic growth, creating a virtuous economic growth/investment cycle.

Surge in research and development: high economic growth makes companies more profitable and allows them to invest more in research and development. In addition, continued economic growth boosts confidence and encourages businesses to take risks and innovate.

Development on the other hand, is the advanced changes in the social, economic, structural, technological, status of a country. Economic development is a broad concept that includes economic growth and other aspects of development. It can be defined as a multifaceted process involving not only accelerating economic growth, reducing inequality and eradicating poverty, but also profound changes in social structures, demographic attitudes and national institutions (Todaro & Smith, 2009). Economic development involves improving wealth, eradicating poverty on a large scale, and shifting the structure of production from crude processes to technological activity in all industries and sectors (Ogwo & Nkamnebe, 2009). Economic development is primarily the impact on the economy and social structure of a society, in addition to changes in income, implying that there are higher living standards, improved health and other living conditions

(Anyadighibe, Esekiel & Awara 2014). Olajide (2004) provides that development in the economic is a process of improving real per capita income of a country over time.

Development is seen in terms of what happened to poverty, unemployment and inequality over time. If these three variables are declining a country is said to be developing. Economic development generally refers to sustained and concerted action by policy makers and communities to improve the living standards and economic well-being of a particular region. Economic development can also be described as quantitative and qualitative changes in the economy. Actions may include human capital development, critical infrastructure, local competitiveness, environmental sustainability, social inclusion, health, safety, literacy and other initiatives (Satope and Akanbi, 2014). Economic growth and development are on-going processes that have an exciting positive impact on the economy. Both processes involve allocation and use of resources to improve efficiency, living standard, quality of life, education and civilisation. They determine social progress, the development of society including improvements in human conditions such as living standards, health care, education systems, better income redistribution, advanced culture and society (Haller, 2012).

Private sector activity is critical to the quality of growth, sustainability and inclusiveness. They are critical to providing jobs, earnings and growth to the society. Reflected in the Busan Partnership (a global partnership for effective development cooperation established in Busan, South Korea that sets international standards and good development principles that stakeholders adhere to), G20 declaration or European Agenda for Change states that individually owned businesses are important to meaningful survival of the indigent with the ability to improve their livelihood, contribute to eradicating poverty and achieve sustainable development and not just to make a profit. Brainard (2006) state that corporations are social institutions with a duty to contribute to the good of society. The OPS develop the economy when they provide goods and services, which then improves proficiency in day to day activities and reach, provide services on behalf of the public sector, by becoming a socially and environmentally compatible partner in development by creating jobs, provide economical products for people to access and buy, eliminate restrictions into being gainfully employed, improving family earnings, raise revenues as

well as values, and enhance economic growth and development along within a structured institution that does not discriminate.

Privately owned organisations and entrepreneurs invest in new ideas and new production equipment. Continuous and an all-embracing development cannot be reached if privately owned businesses, initiatives, financing in addition to resources are not involved. Private sector occupational momentums with its standard are pathways to growth individually and nationally. High-productivity firms, fuelled by a favourable investment climate, are able to pay good emoluments along with investing adequately in employee training. Smaller firms who service the larger firms can rip from the ripple effect of the OPS. The financial sector also plays a predominant part promoting economic growth by expanding access to finance (particularly in the unorganised sector), thereby helping to alleviate poverty. As credit and investment opportunities become available, more private sector actors will be able to access the market, improving the functioning of the market, resulting in more employment and higher returns on goods sold. OPS not only provides essential services such as infrastructure, transportation, telecommunications, electricity, health, education and finance necessary for growth, but also provide affordable goods for all as well as pay taxes which adds to the development of the a nation.

The private sector contributes to development through its (normal) core business activities. People are able to take advantage of main commerce operations as workers, business owners, vendors, distributors and patrons. The adoption and dissemination of inclusive business models that focus on the relevance of business activities to development goals also helps. In countries with competitive economies, OPS is always looking for information that can be used locally to stay ahead. In other words, competitive organisations increase the purchasing power of consumers, including poor consumers, by improving the quality of their products and making them more affordable this improves output, income, while also adding to the circulation of beneficial knowledge with technology. This sector contributes to development endeavours by its technical know-how and innovations and applications. An innovative private sector can find ways to offer sophisticated, affordable goods and services to consumers of all income levels while adding

value to the country's existing resources by bringing about ingenuity about harnessing them.

2.4 Concept and types of employment discrimination

Employment is the primary source of livelihood of many people, it is by being gainfully employed that people derive their incomes. Gaining employment and situations in the workplace has implications well beyond economic function of generating income. These two situations are highly associated with self-esteem, self-image, social connectivity and participation and represent an essential part of everyday, community and societal life. Employment is therefore germane to earning income and livelihoods and to combat poverty, but as a result of prejudices and stereotypes, it can be susceptible to discrimination and exclusion, leading to differences in wages, access to employment, trainings and promotion. Thus, if the employment process is not well monitored, it can create, perpetuate and reinforce inequality, discrimination and exclusion (Papola, 2012; United Nations General Assembly/69/261, 2014; Etheridge, 2015). Discrimination is an undesirable but persistent phenomenon, with its own causes, progress and consequences, it occurs in our society for a variety of reasons related to race, nationality, religion, sexual orientation, gender/sex, physical appearance, disability, and more. Discrimination is not a contemporary phenomenon, but a historical, long-term, interdisciplinary and highly complex phenomenon with very deep social roots (Vravec & Bačík, 2012). Discrimination in employment can occur at any time, whether you are looking for a job, being hired, or unemployed. Discrimination occurs when eligible members of a particular group are treated unfairly, being denied a job or fired because of group membership. Discrimination occurs when market participants, employers, employees, and customers consider factors such as race and gender in economic exchanges. Discrimination in employment is defined as workers with similar skills not having access to same work opportunities, same job earning on the basis of race, sex, national origin, sexual orientation, age, religion, beauty, or any other reasons (Mcgraw-Hill & Irwin, 2008).

Discrimination occurs directly or indirectly, can be formal or informal, it happens if rules, practices and policies prevent or favour certain people on group membership.

Indirect discrimination occurs when seemingly neutral norms exert an unfair and disproportionate influence on a group. Although more difficult to measure than direct discrimination, indirect discrimination includes discriminatory treatment of workers on poor benefits and wages, working and working conditions, and inadequate training and promotion. In the same vein, Russell, Quinn, O'Riain, and McGinnity (2008) argue, bias leads to discriminatory treatment due to categorisation, been unfairly disadvantageous to another group at work. Likewise, New York City Administrative Code says, alienation of a person in and from employment based on age, race, faith, colour, ethnicity, gender, disability, marital status, partnership status, sexual orientation among others by refusing to employ, compensate adequately or withhold privileges of employment, exclude or terminate employment of such person by an employer or employee or their agents is an unlawful discriminatory practice.

Discrimination is essentially about social exclusion to reinforce the perception of subservience and differentiation. Discrimination is the discernment of people's characteristics and is therefore primarily based on misunderstandings, prejudices and stereotypes. Prejudices and stereotypes are formed because of individual or group preconceptions, thoughts, or expectations. These represent largely generalised, unbending, and wrong views and other forms of partial manifestations that lead to discrimination. Negative perceptions formed about different categories of people result in an "us" versus "them" mentality that fosters levels and negative social behaviour and social interaction. People tend to maintain social distance from negatively perceived groups of people because of both prejudices and stereotypes; this also tends to reinforce harassment and discrimination (South Africa Human Rights Commission's report SAHRC, 2016). Discrimination is detrimental to a person's health and social status, it could be multifaceted that is, been discriminated at for one or more of the factors listed above, individuals can actually be discriminated against on multiple grounds or factors, thus the study takes a look at discrimination that may occur throughout the employment process from recruitment to retirement in its various forms:

Gender

According to Ridgeway (2011) gender acts as a base for inequality among people, it is based on a person's membership in a particular social group that is male or female and like any other form of bias; it is a direct form of inequality between persons. Gender otherwise known as sexism includes distinctions based on physiological makeup differentiating males from females which over the years have translated to rationale of social variations between males and females. Differences can be body or social differences like, work specifications that are not essential to the performance of a given job, minimum height or weight requirements (physical differences) that do not affect job performance, social variance include civil status, marital status, family situation and maternity (ILO Help Desk, No.5). For example, gender describes socially constructed duties and positions of males along with females and includes the way they think and behave. These imposed task and presuppositions are not fairly connected to each gender's true characteristics and abilities, leading to deeply rooted socio cultural biases (SAHRC, 2016).

Gender, normally confused with sex, is how the relations and roles between women and men have been socially established (Eldis, 2009). However, while gender affiliation and identity are greatly influenced and shaped by cultural values, social interactions and family, sex is a biological phenomenon that affects the individual's physical body, therefore, males and females are distinguished by their biological characteristics like genitalia, facial hair, and body structure. Sex is biological and permanent, whereas gender is social and temporary, changing according to the culture and attitudes of society (Bryson, 1999). These socially established contrasts are reflected in every sphere of life, including clothing, speech, work, and family hierarchies (Bradley, 2013) each individual begins to act according to how society structures his or her role. Eagly (1987) states that gender roles are society's assumptions about the appropriate behaviour of men or women. The beliefs and identities that support these differences can also fuel inequalities that are promoted within organisations (Acker, 2006). These stereotyped gender roles include the idea that women must play expressive roles (Ballen, 1956) these roles have created a patriarchal world where women are seen as weaker or inferior to men.

Traditionally in most African countries, Nigeria not excluded, there are family and societal codes which define the roles of both males and females. The perception that males

are more important than females in a society presents a strong reason today why women are being discriminated against in employment. These deeply rooted opinions make equality in employment status difficult, hence, (Branisa, Klasen & Siegler 2009), say established codes of conduct, norms and traditions encourage gender inequality in all facets of life. These codes infiltrate into the world of work, exerting influence on a number of levels through participants at the household, community, national, state and market level, which contributes to the complexity. It is also important to note that religion and culture influence and shape social institutions by defining the parameters of what is considered acceptable in terms of gender roles (OECD, 2012a). Social institutions limit the economic and social roles of women and girls, thereby increasing social exclusion and discrimination. Social exclusion takes many forms depending on context that is ethnicity, religion and so forth, ultimately leading to chronic poverty and vulnerability that perpetuate throughout a girl's life into adulthood and even across generations.

Gender is a culturally defined construct that, over time, has provided the basis for societal mandates for male and female roles, behaviour, intellectual, economic, and political characteristics. Gender discrimination in the workplace is serious and attracts international, national, traditional and social attention. Sexism is any adverse behaviour or discriminatory treatment of a person that would not have occurred had that person been of a different gender. This is a form of prejudice that is illegal in most countries (Owoyemi & Olusanya, 2014). Sexism has been defined and viewed in a variety of ways, most often described as having perceptions and judgments about a gender (Hays & Morrow, 2013). Gender bias, a form of discrimination at work, where people are treated unjustly or denied opportunities by their peers or superiors because of their sexual features. It also includes the display of unwanted sexual behaviour by a colleague or supervisor, this includes touching, making sexual jokes, and displaying nasty sex related material towards opposite sex (Bilkis, Habib & Sharmin, 2010). In other words, gender as a social and financial devise specifies irrationally how males and females are economically placed in the society. Gender inequality and discrimination are related to gender pay gap (Saari, 2013), underrepresentation of women in management positions and formal employment (Heilman, 2012), work-life imbalance (Todd & Binns, 2013), unpaid reproductive labour

(Federici, 2004), gendered organisation (Helfat, Harrison & Wolfson, 2006), and political inequalities (Cornwall, Harrison & Whitehead, 2004). Despite significant progress over the years (Ridgeway, 2011), gender inequality remains prevalent and draws strength from shared cultural expectations associated with being male or female (Ridgeway, 2011; Mihalčová, Pružinský & Gontkovicova, 2015). These cultural expectations tend to be barriers for women, not only in their personal lives, but also in the workplace. Ihuoma (2018), for example, said sexism is never superficial and can disrupt or destabilise everyday interactions.

Religion

Article 18 of the United Nations Charter and Universal Declaration of Human Rights states the right of all humans to include freedom to express religion or belief publicly or privately, educate, practice, worship or observe any religion, freedom to change religion or belief in public or in private, alone or in community with others, to respect freedom of thought, conscience and religion and establish that all people are equal before the law and have an unbiased right to equal protection of the law irrespective of religion. Religious discrimination is defined as the perception of any individual that they are being treated unfairly because they belong to a particular religious group or denomination. Employees of religiously diverse organisations are susceptible to quarrel along with discord that may lead to preconception among colleagues (Day, 2005; Robbins & Judge 2013) and this should not be so, because religion is not a prerequisite to work.

Studies dealing with religion at work focus primarily on administrative rules that embodies what to wear and fixing faith based festive time off, taking them into account when preparing meetings and other tasks. (Borstorff & Arlington, 2011; Wolkinson & Nichol, 2008). Morgan (2004), individuals now frequently communicate personal faith based views likewise pursue religious consideration when employed. This can bring about problems for administrators; however, these problems are minor to issues, like, results of behaviours that affect organisational performance, such as employee dedication and engagement. Religious discrimination includes discrimination based on religious belief or membership in an organisation. This includes discrimination against non-religious people and atheists. Although discrimination based on religious beliefs should not be tolerated,

there may be valid workplace requirements that limit an employee's freedom to practice a particular religion routine or practice while on the job. For example, religions may prohibit work on days other than holidays established by law or custom. Certain types of clothing may be required that are not suitable while working with some machines.

Religious beliefs can dictate what to eat or practices to be done during the day which might be hard for the facility to oblige to during work hours and break or having a job that requires taken an oath contrary to one's religious beliefs or customs. In situations as this, employees power to freely exercise his or her religion or beliefs at work must be balanced with meeting actual demands associated with work or occupational needs and operational requirements without compromising safety nor work output (ILO Help Desk, No.5). Scores of people are unfairly treated due to their religion, issues of religious bias in employment often stems from absence of religious liberty or bigotry against individuals or certain beliefs, or those who do not adhere to any religion. Examples of workplace mistreatment on religious grounds include workplace mistreatment of members belonging to religious minorities at work by employees or supervisors, lack of respect for, or ignorance of religious practices, bias in recruitment procedures and advancement on the job, and paucity of regard for religious and customary attires (Gender and Discrimination International Training Centre, ILO ITC-ILO).

Ethnicity

There is no consensus on the definition of ethnicity, and Kanchan (2006), defines the term 'ethnic identity', which captures traditional classifications to a greater extent than previous definitions. According to this definition, ethnic identity is a subset of category of identities where membership eligibility is determined by attributes associated with, or thought to be associated with, ancestry. Fearon and Laitin (2003), opine that ethnic groups are groups larger than families, being a member is mainly by lineage and having a history that is customarily accepted as a group. Discrimination leads to the marginalisation of minorities. The term "minority" does not necessarily refer to an ethnic group that is numerical small. It also refers to ethnic groups that are not socially, economically, or politically dominant (ILO, Promoting Equity, 2014). Ethnic bias at work occurs when

employees are treated differently because of their ethnicity, skin colour or nationality. Gibereubie, Osibanjo, Adeniji, and Oludayo (2014) found that non-racial hiring policies improve employee effectiveness within an organisation. Proffering a solution to ethnic discrimination in employment requires understanding the problem, educating the public about racism, and finding ways to address and overcome the problem. Brondolo, Kelly, Cookley, Gordon, Thompson, Levi, Cassells, Tobin, Sweeney, and Contrada (2005), looking at ethnic bias of Africans in United States, found that ethnic discrimination affects victims physically and mentally which leads to deterioration of the individuals condition.

Age

Age discrimination in employment occurs when employees or potential employees are mistreated or discriminated against in employment because of their age. This can take the form of hiring, promotion, transfer, access to quality working conditions, grievances and grievance procedures. All employees are entitled to promotion and training according to their skills, experience and tenure (Labour Department, Hong Kong, 2006). Age should not be a relevant consideration unless it is a bona fide job or professional requirement that may affect the health of an individual or worker. Warr (1994) describes age discrimination in the workplace as refusing to hire applicants, firing employees, reducing wages, denying trainings, promotions, benefits and welfare due to how old an individual is. The Chartered Institute of Personnel and Development (CIPD, 2003) states, bias premised on age can impact both young and older workers negatively. Additionally, while defining ageism CIPD says, ageism is a behaviour of others that puts a person at a disadvantage because of the age, regardless of knowledge, skills, or abilities. Age discrimination typically prevents workers from moving forward in many organisations. Young and old are discriminated against in employment situations, with younger and older workers being treated differently than those within the two stages of adulthood.

According to the ILO (2003) advancement in years is a relative term, perceptions of which change over time and cultures, and legal retirement age varies from country to country. Even within the same country, there are differences between industries, and even within the same industry there are differences between genders. However, older workers are discriminated against everywhere, employment barriers for older workers are high for

various reasons, and it is difficult to find a new job once unemployed. Discrimination in the form of age takes less obvious forms, namely claims of decrease in career prospect or been over qualified. Veteran workers are often seen as obsolete in terms of innovation thus discriminated against regarding further training opportunities as there is the assumption that they might not keep up with modern technologies. As a result, many managers have a negative prejudice against older workers, saying they are hard to tutor and inflexible. Additionally, in countries where seniority is associated with higher wages, firms may seek to replace older workers with cheaper, younger workers. Employers also routinely discriminate against older female staff such as secretaries, sales rep, and service providers, with employers favouring young females under the age of 30 for their looks (Snape & Redman, 2003; ITC-ILO; ILO: Time for Equality at Work, 2003).

Market pressure to hire younger workers often lowers the cost of hiring. Bias against been a youth, occurs in some workplaces, young workers are either exploited for low wages or left out of quality labour opportunities entirely due to lack of experience, thus, they are often excluded (De Lucca, 2005). Partial treatment of young employees takes different ways, including being over-represented in temporary jobs with reduction in welfare packages, and good career potential; low wages and longer trial periods (ILO Help Desk, No.5). Anecdotal evidence in Nigerian employment situation illustrates the difficulty of individuals above the age of 40 to secure jobs in Nigeria except at the highest levels, such as, General Manager, Executive or Managing Director and majority do not have the required qualification and expertise for these positions yet due to the incessant strike action and job shortages. Most of the job advertisements prescribe age limit as one of the requisite for the jobs as a result of this, individuals do falsify their age in order to fall within the age limit required for the job, and this has a huge impact on the jobs and those who ordinarily ought to have been employed. Therefore, if the job requires some physical roles, the person who falsified his or her age will not be able to do the job expected for a 30 year old person; this is a major dilemma in Nigeria. A regular recruitment occurrence is for organisations to lay down age restrictions while recruiting for a position and to set an age to leave for employees although there is a need for retirement age to be set so as to pave way for young adults, even at that, retirement age must be reasonable.

2.5 Factors contributing to employment discrimination

There are some factors that cause and continue to reinforce the existence of discrimination in employment, such as:

Socio-cultural norms

Human identity is shaped in part by social forces that define people's social roles and status in society. Many factors, especially demographic factors, contribute to the social status of people, and a wide range of social forces such as political ideology, cultural norms, and socioeconomic class also influence the social status assigned to different people (Imade, 2017; Okeke, 2017; Tijani-Adenle, 2016). Culture and social norms have been found to foster discrimination in society and employment (Omokojie 2013; Etieyibo & Omiegbe 2016; Abara 2012). For example, (Tijani-Adenle 2016; Okewole 1997) stated that women are expected to follow specific gender roles within Nigerian society, and this is a hurdle to women's involvement in employment. Also, some fields are considered men's jobs, which limits women's access to such jobs and vice versa. Similarly, the expansion of cultural and social beliefs into the workplace prevents people with disabilities from finding suitable employment (Nigeria Stability and Reconciliation Programme NSRP, 2017; Krinitcyna & Menshikova, 2015; Omokojie, 2013). Literature has therefore found that social and cultural beliefs permeate the world of work and continue to limit the growth and development of people based on demographics.

Societal perception

Rohwerder (2018); Abang (1988); Omokoje (2013) and the United Nations (2016) found that people face barriers to recruitment, including prejudice, stereotypes, discrimination, exclusion, stigma, and other forms of abuse. Negative perceptions and attitudes influence the recipient of such attitudes or behaviours by limiting access to schooling, participation in unethical work, reduced standing within the community, and a sense of shame. For people, bias and prejudice against them can lead to internalised

feelings of oppression and shame, lower self-awareness, and lower expectations from all involved. People face great challenges when it comes to overcoming negative perceptions of their community and society in order to attain self-approval and dignity. Discrimination sometimes stems from perceiving victims to be inferior and having low expectation of them due to societal and individual belief. According to the above studies, a number of factors can contribute to the formation and perpetuation of negative beliefs these include, misconceptions or social constructs, reinforcement of prejudice and fears through practices, law and policy that may affirm harmful beliefs among others. It is important to note that, although wrong opinions and beliefs most times are hard to change, beliefs can be altered and modified as noted by the UN (2016), while reporting on Disabled Peoples Organisations (DPOs) working with communities, thus negative attitudes and harmful practices can be transformed into positive. It is worthy to note that this studies have however found out that gender, disability do not hinder the ability to perform on the job (Omokojie 2013; The Competitive Advantage of hiring Persons with Disabilities, 2016).

The believe that people with disabilities cannot perform optimally may exclude children with disabilities from education and other social practices, exclusion from receiving education because of physical challenges restricts positive social mobility, this reinforces societies perceptions that people with disabilities are liabilities (Aley, 2016). This also applies to the world of work for all forms of discrimination, able-bodied co-workers who believe that people with disabilities may have difficulty finding work and that in the workplace, workers with disabilities are not competent and efficient as employees without disabilities. They are often discriminated against, abused and marginalised by their peers and supervisors not only on disability but other forms (Moster, 2016; Okeke, 2017; Tijani-Adenle 2016; Hofstede 2017 & Omokojie 2013). From the above, it can be inferred that the barriers that people face are not just due to competence or incompetence, but come from the way society view and treats people based on their culture, religion, race, age, social norms and so forth that shape their perceptions. (Imade, 2017; Okeke 2017; Tijani-Adenle 2016).

Labour market saturation

According to research, the unemployment rate in Nigeria is high, and according to the National Bureau of Statistics (NBS, 2018 & 2020), the unemployment rate was 20.4% in 2017, rising to 23.1% in 2018 and 33.3% in 2020. Longe (2017) also showed, among other things, high unemployment among higher institution graduates in Nigeria. Therefore, the concentration of unemployed people who are available for work and who are actively looking for work in an economy where employers have a large pool of potential and available workers, is referred to as a buyer's market otherwise known as a loose labour market. This type of labour market where jobs are in short supply and job seekers are competing with many others for the same job reduces chances of the most qualified in getting a job. This has a significant impact majorly on hiring because of a significant number of applicants applying for the same job, thus employers hire at a reduce salary rate, exploiting based on numbers and over qualification of applicants for vacancies.

Eneji, Lafia and Weiping (2013) state that discrimination by public officials is one of the causes of unemployment among university graduates due to a large pool of people to choose from, that is, people who are ready to work for less just to make ends meet. Hence, labour force (according to NBS, includes all individuals between the ages of 15 and 64 that can work and desires to be employed, irrespective of having a job or not) saturation leads to discrimination, as such, employers can reject or deny jobs to job seekers and workers because majority are willing to condone been devalued just to make ends meet (Crowley-Henry 2013). Every change in the labour market affects the bargaining position of the parties involved. If the position of workers is weakened, they will accept lower wages and less favourable working conditions (Larsen & Waisman 2010). Asali and Gurashvili (2019) also found that increase in ethnic and gender wage discrimination leads to lower economic growth for those discriminated against.

Economic condition of the nation

An economic system is defined as a set of decision-making mechanisms and institutional arrangements related to resource allocation, production, income distribution,

and consumption within a geographic area. Less than a decade ago, Nigeria's GDP growth was one of the highest in the world, averaging 6.5% (ILO, 2019) but now Nigeria's economic status continues to experience turmoil in recent years. In 2016 the Minister of Finance Kemi Adeosun announced that Nigeria's economy was in recession based on the data realised by the NBS (2016) that GDP reduced in the second quarter of 2016 (Q2) by 2.06% meaning there was a 1.70% decline compared to the first quarter (Q1). A recession is a state in which a nation's economic situation deteriorates, resulting in a significant drop in GDP with per capital earnings, reduced employment, buying and selling lasting for six months to a year. Nigeria plunged into recession in 2016, with annual GDP contracting by 1.6% amid 2.5% annual population growth and in 2020 during Covid-19 pandemic, quarterly growths in Q2 and Q3 2020 led to another recession, which resulted to negative annual growth -1.92% for 2020 this almost completely collapsed the entire economic structure of the country (NBS,2016; NBS,2020). Based on the above, Adams (2019) is of the view that Nigerian economy is going towards disintegration, unless action is taken it would spiral badly.

Nigeria's economy shows that it is heavily influenced by external forces, coupled with internal structural deficiencies that hinder self-reliance, the main cause of Nigeria's recession. According to the ILO (2019), Nigeria has structural challenges that hinders growth, including significant governance deficits, high gender and regional inequalities, high underemployment rates (especially among young people), and severe shortages of infrastructure and energy. Unlocking Nigeria's enormous economic potential and lifting more people out of poverty will require a firm commitment to broader macroeconomic and structural reforms. The goal must be to enhance inclusive growth by increasing economic potential and addressing existing high inequalities (ILO, 2019).

Government/Organisational policies

The Nigerian labour law framework does not provide for a non-discrimination policy before, during or after employment. For example, labour law ceases to cater for all the concept of fairness along with bias in employment (Osiki, 2014). The issue of employment and discrimination in employment within the meaning of Article 42, Nigerian

Constitution and Federal Character concept or principle appears to be limited to public service agencies. This principle concerns the equal representation of individuals or groups from all parts of society in government employment and all its institutions. The principle of Federal Character is a political arrangement allowing all segments of Nigerian society to be represented in government, and it is said to address the problems and fears of some parts of the country gaining dominance over others. It is believed to be an alternative to ethnic equilibrium. However, this principle has been faulted to be discriminatory in nature and for not promoting development (Gibereubie, Osibanjo, Adeniji & Oludayo, 2014).

Adejugbe and Adejugbe (2018) say one of the factors that hinder full integration at work is the legal factor, which is the inadequacy or lack of labour laws and statutes to encompass the changing scenarios in the world of work. The researchers say inequalities especially gender inequality is not only rooted in the country's socio-cultural norms, but is also embedded in the political and institutional framework that shapes employment processes and opportunities in Nigeria. Negative differentials in all spheres is strengthened or removed by laws and policies, in order to rise beyond this gap, government must further seek to address the oversights of legal provisions and practice, in view of the changing realities, thus, breaking down the harmful social norms and provide an enabling environment for job creation, flexible work conditions that can accommodate family life and transform discriminatory institutional settings and secure economic and social participation for all.

Over the years, the movement to introduce anti-discrimination laws to tackle discrimination in employment in Nigeria has been inadequate. Nigeria has been independent for more than 50 years, but has not made significant strides in labour laws aimed at reducing discrimination. Various sets of individuals are discriminated against due to gender, age, impairment (physical or not) and other similar attributes. Laws regulating employment include the Labour Law, Workers Compensation Law, 1999 Constitution of Nigeria, as amended, National Industrial Court Law, and the Civil Service Regulations. There is a clear lack of legislation specifically addressing anti-discrimination in the workplace, and discrimination is at the heart of employment problem. There are two

approaches to promoting equality in the workplace, that is, formal and substantive. In a formal approach everyone has equal opportunities for and at work thus; all citizens should compete equally for job opportunities, which is an ideal situation regardless of demographic. However, the existence of cultural, religious, social norms and so forth, lead to the exclusion of some people who are seen as vulnerable groups (those at high risk of poverty and excluded due to dominance). Such category of people includes women, people with disabilities as well as people from ethnic minorities. Due to the specific circumstances of members of vulnerable groups, substantive approach is used to bring about fairness for people categorised as vulnerable. Thus, substantive approach addresses fair outcomes and equal opportunities for disadvantaged and marginalised groups in the society. This approach recognises that the law must address discrimination, marginalisation and unequal distribution in order to realise basic human rights, opportunities and access to goods and services. This is primarily achieved through the implementation of special measures, also known as affirmative action (McGinnity, Quinn, McCullough, Enright & Curristan, 2021). Affirmative actions are policies and measures that address underrepresentation of disadvantaged groups and go beyond simple anti-discrimination laws (Crosb, Lyer & Sincharoen 2006; OECD, 2020).

Such measures ensure that disadvantaged groups have the same opportunities to support and improve their livelihoods as everyone else. Therefore, discrimination in the workplace can be addressed through the adoption of non-discrimination clauses and affirmative action in labour law. Both tools are utilised in nations such as South Africa and India in combating the menace of unfairness at work (Osiki, 2014). Article 42 of the Nigerian Constitution provides vague immunity towards unfair treatment; this is not enough in address the problem of discrimination in the workplace. The closest Nigeria as to affirmative action is the Federal Character Principles, Osiki (2014) advocating equality at work through a formal and substantive equality approach that contributes to Nigeria's long-term economic sustainability. Substantial positive action approaches ensure that both the marginalised and vulnerable groups have decent job opportunities, as long as they qualify. Like government policies, organisational policies and manuals do not address discrimination and how to deal with it when it occurs.

Deficit of an Independent body to tackle discrimination

The lack of a body or commission that people can report cases of discrimination to and such body been conferred with the authority to take up investigation charges against perpetrators in employment, contributes to freely discriminating in the employment process. The role of this autonomous body should be to fairly and accurately assess allegations made and make a find. If the body is successful the body/authority should have the right to file a lawsuit to protect the right of the individual(s) and the interest of the public. This body should also take up the responsibility of preventing discrimination (based on demographics as well as retaliation for reporting, participating in or opposing a discriminatory practice at work) before it occurs by providing outreach, education and technical assistance programmes to stakeholders in the employment process, as done by other countries such as United States of America which have Equal Employment Opportunity Commission (EEOC), Australia with Australian Human Rights Commission (AHRC), Irish Human Rights and Equality Commission (IHREC) among others.

2.6 Effect of Employment Discrimination

Employment bias is economically imprudent, even when it does not lead to the loss of skilled workers. Employees that work for biased employers cannot concentrate on carrying out their primary duties at work. Workers that feel unvalued or fear discrimination at work experience a range of negative job attributes that negatively impact their job performance. Workers who dread discrimination report higher absenteeism, less commitment to their current employer, fewer promotions, and more physical and mental health problems than those who fear no discrimination (Burns, 2012). This is consistent with Sanches and Brock (1996) claim that there is a link between perceived discrimination and job stress and increased turnover. Discrimination and prejudice based on people's social and family background often outweigh their true abilities and aspirations, limiting their social mobility (ILO Equality at Work, 2007). According to Burns (2012) the following depict the effects of discrimination in employment:

Recruit: When employers hire people not based on job-related characteristics, companies are left with an inferior workforce that is less capable of generating healthy profits. Evaluating candidates on characteristics not related to work creates inefficiency on the part of the person evaluating. In this case, less skilled people are employed, resulting in a sub-optimal manpower. For example, hiring a less-skilled employee simply because the individual does not have a disability means that an organisation will be more likely to achieve lesser result on performance, profit and productivity than it would have achieved if it had hired a more highly-skilled individual with a disability. Thus, hiring one good employee is worth more than hiring three mediocre employees, meaning that once one wrong hiring decision is made, the company has a higher probability of losing profits.

Retention: Holding on to a good workforce is important to an organisations financial health in order to develop competent, effective and cost efficient employees. But discrimination drives competent workers out of work and forces them to join the ranks of the unemployed. This creates additional costs associated with revenue, as managers must look for, employ and re train workers into vacant positions due to work discrimination.

High turnover: Discrimination in the workplace contributes to high turnover rates by either firing employees on the basis of non-work-related reasons or creating toxic work environments that force workers to voluntarily resign. Unnecessary employee turnover forces employers to spend a lot of money on recruiting, staffing, and training employees to replace the ones lost. Specific costs include hiring non-regular workers, advertising costs to announce job vacancies, background checks, reference checks, overtime pay, relocation costs, and salary increases to attract new talent. For high-performing employees and senior management, severance pay and contract bonuses can also contribute to high turnover costs. Companies that fail to retain qualified employees will also lose the investment they made in employees who have left. Discrimination drives away valuable personnel with valuable organisational and operational knowledge. Employers also spend a lot of time and money training and developing new recruits to reach the same level of knowledge and skills. Additionally, if a competitor hires a departing employee and benefits from their expertise and understanding of the sector (skills and knowledge invested by a discriminatory employer), discriminatory turnover is a double blow

Work performance and productivity: Discrimination and hostility in the workplace prevent employees from adequately fulfilling their core responsibilities in the workplace. Moreover, it creates unnecessary costs by increasing absenteeism, decreasing productivity and developing a workforce with low motivation, entrepreneurship and commitment.

Litigation: Discrimination in the workplace can be legally costly for businesses. This requires a lot of time, finances, and other resources that should be dedicated to core business obligations.

Discrimination can be expensive not only in terms of labour and employer relationship, but also because of customers. As businesses engage in discriminatory acts and tolerate misconduct in the workplace to include customers, consumers may become increasingly sensitive to doing business elsewhere. A good example is an advertisement published in October 2017 in the United States calling for a boycott of Dove (a cosmetics company) products because consumers perceived the message of an advertisement by the company as portraying black women as inferior to white women (CNBC website- [https:// www. cnbc. com/ 2017/10/09/dove-faces-pr - disaster - over - ad - that-showed-black-woman-turning white. html](https://www.cnn.com/2017/10/09/dove-faces-pr-disaster-over-ad-that-showed-black-woman-turning-white.html)). Employers must engage in productive actions to encourage a positive and diverse workplace for workers by enacting policies and a culture of non-discrimination. This allows employers to reap significant financial benefits from a skilled, productive and talented workforce. Burns (2012) opined that without proper policies, workplace discrimination continues to undermine business performance, productivity and profits. Discrimination reduces profit margins, increases workplace inequality each year, drives skilled workers away from organisations, undermines overall work performance, and drives companies out of lucrative consumer markets. Discrimination not only imposes a heavy financial burden on those it was perpetrated on along with kin, it also considerably reduces profits for businesses. Firms in all sectors of the economy must consequently contend for competent workers to increase their competitiveness. In engaging quality labour, employers must make certain they are employing from a vast pool of skilled workers. But discrimination unnecessarily narrows the pool of potential candidates by focusing on non-work factors. When this happens, the organisation unnecessarily finds the least qualified employees (Burns, 2012). There is a growing consensus that developing a

diverse workforce is good for business. Discrimination can also isolate a company from the communities in which it operates, damaging its reputation and profits (International Finance Corporation IFC, 2006).

2.7 Employment Discrimination and Decent work

The ILO defines decent work as opportunities for male and female to obtain equitable, reasonably productive work under conditions of freedom, justice, security and human dignity (ILO 2013). Decent work means providing productive work for all with fair wages, job security, social protection for families and better prospects for personal growth and social integration (UN SDG Goal 8, 2021). Decent work provision promotes all-inclusive and viable economic growth through employment, but the presence of discrimination in the workplace limits inclusiveness, stagnating or slowing economic growth and individual economic well-being. The question here is why do we need decent work? Decent work is mandatory in order to create stable well-paid jobs that reduce poverty, jobs to accommodate new entrants to the labour market, and sufficient income by improving working conditions for men and women who work to provide for themselves and their families so as to end poverty and ensure social security and welfare. Achieving decent work is important because society as a whole benefits when more people become more productive and contribute to the growth of their countries. Productive employment and decent work are key ingredients for fair globalisation and poverty reduction.

Moreover, unemployment and underemployment, if left unaddressed, can lead to insecurity and disturb the peace. It is also important that all adults of working age have equal opportunities to find employment and work. A persistent lack of decent work opportunities leads to underfunding, underinvestment and under consumption, eroding the fundamental social contract that underlies democratic societies. Decent work availability provides young people and adults with access to social protection, dialogue and basic services, regardless of contract type, to find productive employment regardless of gender or income, provide the best opportunities for young people and adults by creating a parallel situation regardless of socioeconomic background (UN SDG Goal 8). September 2008, ILO assembled a tripartite meeting made up of experts on Decent Work Measurement, leading to adoption of Decent Work Indicator Framework by the 18th edition of the

International Labour Statistics in 2008 (ILO 2013). ILO (2013) Framework on Decent Work Measurement highlights ten substantial components, they are:

Employment opportunities- is a major component of decent work, that provide a clear understanding as regards the amount of labour demand and supply in any country. This focuses on a crucial feature of labour market circumstance such as access to well-paid employment and interpretation of quality of work weighed by been employed in the organised and unorganised employment while also targeting indexes pertaining to underutilisation together with lax in labour, amid which the percentage of unemployment is often used as a major indices to prompt changes in decent work opportunities. These indices are used to know the key distinctions in job opportunities experienced by all groups whether because of age, gender, academic achievement or position at work.

Adequate earnings and productive work- for work to be regarded decent work, it has to be productive and provide workers with adequate earnings. One of the objectives of the ILO, as set down in the Declaration of Philadelphia, is to ensure a just share of the fruits of progress to all and a minimum living wage to all employed to take care of basic as well as essential needs.

Decent working hours – appropriate work schedule are integral part of work that is acceptable. This also includes hours associated with activities within the organisation that do not impact negatively employee health and work-life balance.

Reconciliation of work, home and personal life– includes requirements and basic beliefs that do not deny employees quality work life, personal life in addition to social protection. Thus, work must not restrict social interactions at work as well as outside work and maternity/ paternity leave and benefits must also be granted.

Abolishment of some work – Global summits and the ILO Declaration on Fundamental Principles and Rights at Work demands elimination of some types of labour, like imposed labour on children and adults. Keeping in view this motive, measuring the work to be eliminated is essential to assess its occurrence, spread and features, and most importantly to take action and track elimination progress.

Job stability and safety – allows workers to be differentiated into those whose jobs are characterised by a certain degree of relative permanence and safety in terms of working

conditions compared to other working conditions. This is occupational safety that addresses the fact that workers can easily lose their jobs.

Equal Opportunity and Equal Treatment in the Workplace – Promoting same access to occupations and unbiased treatment in the workplace is a major part of the Decent Work line up. ILO Declaration on Social Justice on equitable Globalisation 2008 specify that gender equality and the prohibition of bias must be regarded as major issues in the planned goals of decent work. The above mentioned goal is also connected to gender equality, goal 5 of the Sustainable Development Goals. Therefore, there must be concerted effort to address discrimination based on gender and other forms as well as groups that may face discrimination, groups such as rural workers, migrant workers, and persons with disabilities.

Safe work environment – Occupational safety and health in the workplace is an integral part of a respectable work. Protection of employees against employment associated harm and accidents is measured, evaluated and tracked by labour inspection, work accident frequency rate and time lost per occupational injury should be monitored.

Social security – encompasses provision of benefits, be it cash or other forms, for ensuring safety, insufficient income to cater for health issues such as been disabled, maternity, harmed as a result of work, joblessness, been aged, demise, health care for worker and kin as well as penury and social exclusion.

Social dialogue, workers' and employers' Representation – dialogue as a component of decent work unfolds every kind of bargaining, deliberation and information sharing among government representatives, managers and employees on mutual interest. This encompasses the trilateral process which includes the employers/which sometimes might be the government, employees and other stakeholders among which are social and financial committees, trade unions and employers' organisations and proceedings like collective bargaining. The central focus of dialogue is to bring about an accord amidst players involved in the employment process. Effective systems and procedures of social communication can resolve salient economic and social problems, promote good government practices, enhance societal and industrial peace and firmness and foster economic progression. Social dialogue therefore serves as a major means of realising ILO's

aim to promote equal chances for both sexes to gain decent and rewarding job that grants freedom, equality and security along with dignity. The level at which dialogue is effectively carried out is an indication of the availability of decent work.

Once all this is in place, it is pertinent to introduce labour laws to guide and prevent these elements from being trampled on by interest groups. According to Fajana (2010), labour administration problems are leading to a decent work deficit in Nigeria. Considering the legality of decent work is important not just to understand it as a whole, but monitoring its improvement. In fact, every aspect of work that is considered decent has legal facets, although laws cannot on its own make decent work a reality, well-designed, comprehensive, mandatory and well implemented laws and advocacy will. Labour law helps to uphold Decent Work Agenda and its implementation by defining decent work, stipulating a formal answer to what decent work is and suggesting ways to achieve it (ILO, 2013). Thus, the existence of employment discrimination undermines decent and productive work and brings negative vices to discriminated people, their families, societies and economies.

2.8 International Labour Organisation and Employment Discrimination

The International Labour Organisation (ILO) was established in 1919 as part of the Treaty of Versailles that ended World War I and reflects the belief that universal and lasting peace can be achieved based solely on social justice. Security, humanitarian, political and economic considerations were the driving forces behind the creation of the ILO. The preamble to the ILO Constitution, drafted between January and April 1919, states: "The States Parties were moved by a feeling of justice and humanity, and a desire to secure lasting world peace...". ILO has its head office in Switzerland and is dedicated to promoting social justice and internationally recognises human and labour rights. Various conventions to eliminate discrimination at work have been adopted by the ILO to promote rights at work, decent occupation opportunities, improve social protection and strengthen dialogue on work-related issues.

The ILO has legal instruments drafted by member governments, employers and workers to provide the basic principles that guide rights at work and regulate other areas of the world of work. These instruments primarily are conventions and recommendations,

conventions are legal binding international treaties that lay down basic principles to be implemented by member states that choose to ratify while Recommendations are non-binding guidelines that serve as a guide to how conventions can be applied and used. The ILO in its declaration on Fundamental principles and rights at work 1998 says in an effort to maintain the connection which social progress and economic growth have, the guarantee of fundamental principles and rights at work is of particular importance, allowing those concerned to freely and on the basis of equal opportunity to acquire wealth they worked to create to accomplish their full potential. Accordingly, eight conventions have been identified as fundamental; eradication of discrimination concerning employment and occupations is among them. The Convention entrust to member states that ratified the convention the aim of promoting equality of opportunity and treatment by proclaiming and pursuing a national policy aimed at abolishing all forms of bias in respect of employment and occupation.

Discrimination is defined as bias, exclusion or preference based on race, colour, sex, religion, political opinion, national or social origin (or any other motive determined by the country involved) with the consequence of nullifying or impairing equity in opportunity or treatment in employment. The agreement covers access to vocational training, access to employment and specific occupations, as well as working and employment conditions. Member States that have ratified this Convention shall abolish legal provisions, amend administrative orders or practices inconsistent with this policy, and cooperate with employers' and workers' organisations to enact, adopt and execute laws. Agree to promote educational programmes that benefit the policy and it shall be pursued and respected in respect of employment under the direct control of national authorities and in respect of career guidance, training and placement services under the direction of such authorities (ILO No. 111 Convention). ILO Labour Standards for the elimination of Discrimination are not limited to the above and Time for Equality at Work is a report on this subject, too. The report states that the eradication of discrimination in the workplace is crucial to social justice, which is central to the ILO's decree. It is premised on an idea of giving equal opportunities to all who work, or seek work, whether they are workers, employees or self-employed in the formal or informal economy. Eliminating

discrimination is an integral part of any viable strategy for poverty reduction and sustainable economic development. The Declaration of Philadelphia, adopted by the International Labour Conference in 1944 and now part of the ILO Constitution, states: "All human beings, regardless of nationality, have the right to prosper in conditions of liberty and dignity...." Workplace equity is a consistent theme in the international labour standards adopted and promoted by the ILO. A theme present in Discrimination in Employment and Occupation Convention No. 111, 1958 and Equal Remuneration Convention No. 100, 1951, two out of eight major conventions that are among the most ratified ILO Conventions. ILO statement on basic Principles and Rights at Work, adopted in June 1998 and its follow-up reaffirmed the constitutional principle of eliminating discrimination in employment and occupation, thereby ensuring equal treatment and opportunity. It reaffirmed its general commitment to suppress discrimination in the workplace by promoting its suppression. The World of Work magazine, published three times a year by the ILO's Department of communication and public information, also has the theme of 'Fighting discrimination at work' in its 72nd edition emphasising the importance of eliminating all forms of discrimination in the workplace.

2.9 Provision of redress seeking against Employment Discrimination

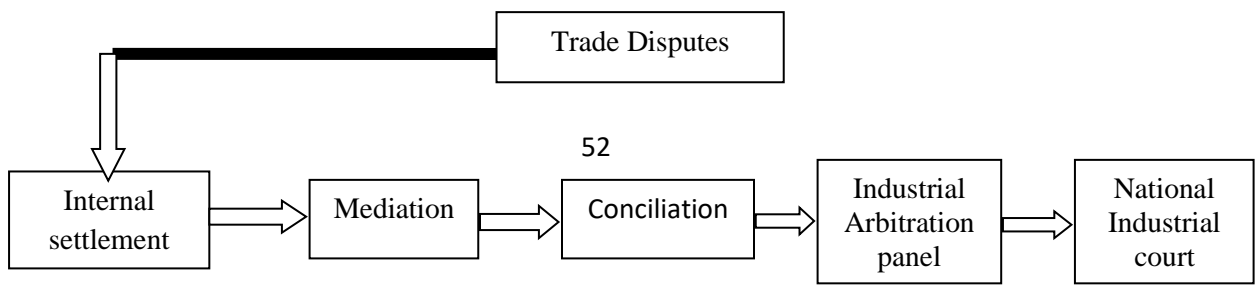
In Nigeria, the main law regulating conflict in employment process is the Trade Disputes Act (TDA). Section 48 of the Act defines a commercial dispute as that which occurs among an employer and an employee or an employee and an employee relating to employment, conditions of a job and environment where an individual works. Section 54(1), National Industrial Court Act (NICA) also interprets a commercial dispute as a discord between an employer and an employee attached to-

- a) recruitment or non-recruitment of persons;
- b) conditions of individual recruitment and environment in which work is to take place;
- c) entering into or amending collective bargaining agreements; and
- d) alleged disputes.

Thus, any dispute between a management and worker relating to contract guiding a job is an employment dispute that the Labour Court presides on (Orifowomo and Asiru, 2015). Court of Appeal presided on the National Road Transport Workers Union v. Ogbodo, says to regard a dispute as that of trade the following must be identified:

- a) there must be a dispute which must involve a trade
- b) the dispute must be between employers and employees; or employees and employees
- c) the dispute must be related with recruitment or non-recruitment
- d) the conditions of work, or environment where work is to take place.

As indicated by the court, the dispute must be as a result of work and not politics, hence, for a conflict to be categorised as a dispute in industrial relations, the right parties must be involved and the issue be connected to work terms or physical condition of the workplace of any person. A trade dispute can be on consensus that was formerly reached by those involved, based on interpretation or conditions or a new issue, or failure to collectively bargain. Whichever case it maybe, the law has made available a process to follow to resolve such disputes which are settlement through internal arbitration mechanisms, mediation, conciliation and arbitration by the Industrial Arbitration Panel (IAP) and decisions by the National Industrial Court (NIC). The resolution process is illustrated below:



Internal settlement mechanism: Section 4(1) of the TDA states that “If there are agreed dispute resolution methods other than those provided by law, based on provisions established by agreement between the employer guilds and the organisation protecting the rights of employees or pursuant to a separate agreement, the disputing parties must first make attempts to solve the issue through such provisions, and accordingly, the disputing parties must first seek to resolve disputes through any pre-existing agreed procedures such as collective bargaining (Orifowomo and Ashiru, 2015). The law provides that employers and trade unions are expected and encouraged to always resolve any trade disputes that may arise between them internally at first (Nigerian Juridical Review Volume 9, Nig. J. R., 2002-2010).

Mediation: If attempts to resolve the dispute through an internal reconciliation is unsuccessful, or if such means do not exist or are not scheduled to be established, the parties to the dispute shall agree to meet within 7 days of the initial dispute day to be resolved peacefully by a mediator consented to and appointed by both sides in accordance with Article 4 (2) of the TDA. If mediation is unsuccessful, that is dispute is not resolved on or by the seventh day of appointing a mediator, Article 6(1 and 2) requires that the dispute be brought to the notice of the Minister of labour by a written report within three days detailing their differences and efforts already made to resolve the dispute before the time limit for mediation expires. After receiving the report, the Minister can instruct both sides to take additional measures to settle the dispute if not satisfied that they have made full use of the established procedures. If the deadlock is not resolved, the Minister must assign the matter for conciliation to the Industrial Arbitration Panel (IAP) in not more than 14 days or if perceived that IAP will not be sufficient then it would be passed directly to the National Labour Court also known as National industrial court. Or, if the dispute involves an essential worker article 17 of the Act stipulates that within seven days after he receives the report, he/she will refer the dispute directly to the National Labour Court.

Conciliation: A conciliator is named to arrange between the conflicting parties to reach an understanding or settlement in 7 days of his arrangement. In case he succeeds in the settlement, he informs and advances a marked notice/memorandum to the Minister which

gets to be official on the parties as from the date it was signed or as indicated within the memorandum, where he cannot resolve the issue in 7 days he informs the Minister.

Arbitration panel: Where a conciliator was unsuccessful in resolving the dispute, he is required to inform the Minister then transfers the case for settlement to the arbitration board in fourteen days of getting the report of conciliation Section 6 of the act. Halsbury's Laws of Britain characterises mediation of a conflict to be between at least two parties for resolution, after listening to both sides in a legitimate way, by individual(s) other than a court of competent purview. An arbitration tribunal is anticipated to create its grant inside 21 days under section 13, unless the period is expanded by the Minister. The resolution also known as an award should be communicated to the Minister before it is made known to the parties, upon it been gotten by the Minister, he can hand it over again to tribunal for re-examination where he deems fit. Where the Minister chooses not to send the matter back for re-examination, he serves a note on the parties educating them about the award as well as the liberty they have to complain about it in seven days. In case he gets no protest from either party in seven days, section 13(4) the Minister shall at that point distribute within the Government Gazette a notice affirming the award which gets to be authoritative on the parties to whom it relates, from the date of the grant. Where the Minister gets a substantial protest, section 14 instructs that he takes the dispute to the NIC.

National Industrial Court: The NIC is the culmination of trade dispute resolution in Nigeria. In 1976, it was first established in TDA and underwent various changes in 2006. National Industrial Court Act (NICA) came to be, to strengthen the court's ability to enforce rules and judgments. It is worth noting that NICA has repealed Part II of TDA. The NIC was elevated to a Superior Court of Justice in 2010 by the Constitutional Third Amendment Act of 1999. By constitution, the NIC is saddled with the power to oversee civil and criminal matters associated with commercial disputes. Article 7 of the NICA states that courts can issue orders to prevent companies from participating in labour disputes, such as strike lockouts, and also to clarify inquiries that conflicting parties have on an award made by the tribunal and collective agreement has stated in any memorandum of settlements or judgement made by the court.

Section 8 says, the Court may, after hearing an appeal make inferences as well as substantiate, alter or overrule the ruling, settlement or directive of the tribunal or it can give a directive for the case to be reheard; or give a verdict for either of the parties, as the Court deems appropriate based on fairness and law. Section 14 of NICA says that the court can and shall, in the exercise of the jurisdiction vested in it by or under this Act in every cause or matter, have power to grant, either absolutely or on similar stipulations and arrangements considered as appropriate, all such remedies whatsoever as any of the parties thereto may appear to be permitted to have regarding any legal or equitable claim brought forward by the Court so that, as much as possible, all matters in dispute between the parties may be completely and finally determined and all multiplicity of legal proceedings concerning any of those matters avoided. While section 14 (2) of the TDA says, the award of the National Industrial Court is mandatory on employers and workers to whom it relate as from the date of the award or such date as may be specified in the order; or if an appeal is made on the question of basic rights spelt out in chapter five, Nigerian constitution as from the date of the determination of the appeal.

Furthermore, the NICA grants the court the power to give an injunction, make orders of mandamus, prohibition or certiorari; to appoint a public trustee to manage the activities and investments of trade union or employers' association and grant settlements. Thus, a job owner dismissing a worker without giving any reason for doing so will not protect the employer from a work place discrimination lawsuit. Because if an employee can produce credible evidence that his or her employment was terminated due to a medical condition or other claims that had no effect on the capacity in performing on the job or otherwise, the court could award the employee substantial damages for employee's inability to perform required duties and responsibilities for no just cause (Unini, 2016).

2.10 Trade Union and Employment Discrimination

Power imbalance in the labour market necessitated the Trade Unions (TU) to be put in place to counterbalance the lack of equity among employees and the employers, although the unions have made tremendous impact in mediating and breaching the equity gap between the employee and the employer they still neglect some areas of their responsibility in the workplace (Seifert & Wang 2018). The International Trade Union Confederation

(ITUC) is the largest trade union worldwide with 168 million workers across 155 countries and territories and has 311 trade union national centres as affiliates. ITUC utmost agenda is to make sure that ILO's basic employees' rights, right to organise and participate in a trade union, right to collectively bargain, protection from unfair treatment, and annihilation of child and forced labour are attained. ITUC's primary mission is the promotion and defence of workers' rights and interests through international cooperation between trade unions, global campaigning and advocacy within the major global institutions and its activity includes, fostering human rights, economy, society and the workplace, equality and non-discrimination as well as international solidarity.

The ITUC head office is based in Brussels, Belgium; it has regional organisations namely Asia-Pacific Regional Organisation (ITUC-AP), the African Regional Organisation (ITUC-AF) and the American Regional Organisation (TUCA) (ITUC INFO). ITUC-AF, of which Nigeria is a member, declares that all men and women have the right to associate freely to protect mutual interests, choose occupation freely, fair remuneration, decent, safe and productive employment, freedom from hunger and poverty, equitable and sustainable development; access to public services necessary for fulfilling a dignified life; a safe, healthy and sustainable work environment and social security. Similarly, objective 4 and 22 aim to completely stop discrimination in all its forms to promote diversity in society and employment in order to uphold respect in trade union movements and society in general, and strive to improve working conditions through the establishment, maintenance and expansion of social security for all (ITUC-AF Constitution).

The Nigerian Labour Congress (NLC) and the Nigerian Trade Union Congress (TUC) are affiliates of the ITUC-AF and should work towards the realisation of the above declarations and goals. Trade unions around the world have traditionally sought to represent the economic and social interests of members, workers and their families, unions strive to improve working conditions and wages for their members. In this way, trade unions especially those in Africa pursue as well as ensure fairness, propriety and justice in a society. In general, unions' serve two fundamental, interrelated roles; one, representing their members and two, negotiates with employers on the member's behalf. The basic concept of trade unions is bargaining power and strengthening bargaining power through

collective effort and action. In Africa, as elsewhere in the world, many studies have shown that unionised workforce are inclined to earn more and have better working conditions than those that are not with similar characteristics (Otoo, 2012). Therefore, TU organisations, through collective bargaining and negotiations with employers, protect and improve the real income of their members, ensure or improve job security, protect workers from unfair dismissal and other problems related to labour law and advocate for improvements in members working conditions and workloads. T.U also offers a range of work-related services, including support for people claiming compensation for work-related injuries.

Collective bargaining has enabled those involved in industrial relations to minimise the conflicts and quarrels that often characterise relationships between employers and employees (Otoo, 2012; Khabo, 2008). Collective bargaining is a means of establishing and bargaining for ideal work and industrial conditions. This facilitates communication between management or employers and workers, giving each party knowledge about barriers and needs of one another. Collective agreements are the result of mutual bargaining that can cover issues such as salaries, time spent at work, welfare, job types, promotion, and conflict resolution. Guilds engage in securing the interests of members at work as well as the society as a whole. One reason employees form unions is the perception that individual workers are weak to counter employers strength when fighting for rights, the need to balance power in the workplace and improve their interests gave rise to Unions. TU can represent a single worker or groups of workers on issues relating to work, social conditions or disciplinary proceedings. With increasing exposure to the wrath of hostile employers and where collective bargaining does not work, workers need legal representation and, as a result, workers have to use the conventional court that interpret the employment relationship as a master-servant relationship, based on common law doctrines that place the employee in a subordinate position. Consequently, some unions in nations like Nigeria, Ghana and South Africa, are calling and have called for independent Labour Courts and Tribunals. Sometimes union representation of workers also takes the form of sensitisation, engagement and consultation with stakeholders to promote policies and programmes beneficial to their members and employees at large. In some cases, they are involved in formulation and implementation of policies that are valuable to the community

as a whole. Through nationwide demonstrations and opposition, they influence policy amendments they deemed inappropriate (Kalusopa, Otoo & Shindondola-Mote, 2012). The NLC and TUC are umbrella organisations of various trade unions in Nigeria that have members that are certified professionals and non-certified professionals belonging to them. Some of these unions include National Union of Food and Beverage and Tobacco Employees (NUFBTE), National Union of Hotel and Personal Service Workers (NUHPSW), National Association of Community Health Practitioners of Nigeria (NACHPN), Construction and Civil Engineering Senior Staff Association (CCESSA) and the Agricultural and Allied Employees Union Officials (AAEUEO), to name a few.

Trade unions have a key part in combating bias at national and international levels through policy and political activities and collective bargaining. However, position holders and members face discrimination, with workers being punished for joining or participating in union activities, while current union members face harassment, imprisonment and even death. However, by gaining a better understanding of the many forms of discrimination and developing strategies to combat it, trade unions may be able to strengthen their organisations and contribute to the elimination of discrimination. Although trade unions may address discrimination in the workplace, there is perceived sexism within trade unions themselves, limited roles for women, resulting too little to no female trade union leaders. Equality and justice are core values of trade unions therefore females must be given due political weight in union activities. Hence, trade unions need to address equality challenges through at least four different levels: intra-union, workplace, social and ultimately international solidarity (ITC-ILO).

- Addressing the issue of equality within trade unions requires renewed efforts to build membership and leadership at all levels to show the heterogeneity of the societies trade unions emerge from. This requires a variety of programmes aimed at equality and includes training to ensure that leadership reflects the diverse nature of a nation. Policies of the unions must indicate the priority on fairness in opportunity and treatment.

- Addressing inequality at work requires unions and management collaborating, that is, processes should be put in place in curbing bias during recruitment and employment process, establishing grievance mechanisms for workers who have been discriminated against, incorporate inequality issues into collective bargaining agreements and promote equal pay and work-life balance measures by discuss procurement policies on equality.
- Addressing the issue of equality in the society requires increased cooperation between trade unions and governments on policies necessary to combat discrimination. If there is a problem, the government must stop living in denial and move towards a society free of discrimination. This requires trade union representation and collaboration to eradicate all types of unfair treatment in employment. Demystifying various biases that can occur is of utmost importance not only for tackling them, but also for better societies.
- Lastly, problem of equality must be addressed through joint efforts and international solidarity. Discrimination affects a lot of nations, triggering civil and social unrest likewise placing multitudes of employees and job seekers in unworthy situations and servitude. That is why global and national trade unions must unite when situation warrants to promote the values of equal opportunity and treatment by also supporting other trade unions operating in harsher conditions to meet the challenge of equality.

2.11 The State and Employment Discrimination

The State, that is, Nigeria saddles the Ministry of Labour and Employment with the duty to maintain industrial peace within the country, Nigeria also has different laws and statutes to help maintain harmony in employment relations. The Ministry of Labour and Employment is directly responsible for issues relating to labour and employment in Nigeria. The objective of the Ministry is to develop employment policies and programmes for generation and actualisation of the National Action Plan Employment Creation (NAPEC) and the Local Employment Content initiatives of the Federal Government, to

stimulate and enhance productivity nationally, promote healthy competition within the nation, upgrade skill, give certification, equip artisans and traders in different domain of needs, put in place security benefits, welfare and employees indemnity, provide labour protection service, supervise, enforce, educate, promote social justice, ratify, implement and review national labour laws and policies including collectively bargained agreements, educate and train Trade Unions and bring about international labour on diplomacy. Its vision and mission is to facilitate and promote peaceful, productive and harmonious industrial relations, safe and decent working environment and enhance social security coverage for all Nigerians and to create an enabling environment for growth and sustainable development through best practices in labour administration respectively (Ministerial Platform, 2013).

The Federal Ministry of Labour and Employment is among the oldest ministries in Nigeria, established in 1932 as the Department of Labour in what was then the Colonial Service. Became a full-fledged Ministry in 1951, divided into nine departments, segmented into five semi-governmental agencies committed to ensuring, promoting in addition to sustaining peace and harmony at work, necessary to boost national productivity as a key input to growth and development. Departments include Policy Assessment, Research and Statistics, Human Resources, Finance and Accounting, Inspectorate, Employment and Wages, Productivity Measurement, Trade Union and Industrial Relations, Skills development, certificates and Social Security.

The Ministry, has a network of state offices in the 36 States of the Federation including the Federal Capital Territory (FCT) with three offices in Oyo State to carry out its mandate of establishing consultations with other ministries, stakeholders and the public to ensure a peaceful, unbiased, respectful and harmonious employment activities germane to the social and financial well-being of all, provision of services in the public interest by establishing a nurturing with a dynamic business environment; reduce poverty, inequality and exclusion, promote and enhance occupational health and safety by formulating and sustaining the effective and efficient execution of programmes that secures employees' health and safety and their rights at work, help shield workers that are at risk by putting in

place unbiased work practices hence supporting government's agenda to reduce poverty, inequality and exclusion.

The Ministry is charged with providing industrial conformity and peace to bring about a productive, continual economic boom, establishment, administration along with supervising of occupation policies as expressed in National Action Plan on Employment Creation (NAPEC) aimed at creating jobs by putting in place skills acquisition centres, implement policies that are domesticated to various sectors, and to ensure just labour and work activities in employment. The Ministry is to and has acknowledge international and domestic challenges by setting up employment policies, promoting productivity and competitiveness, attending to labour issues, setting up a productive labour inspection procedure, skills development, certification and establish a solid labour- management relations in line with international labour standards and diplomacy as embodied in the ILO conventions and recommendations, it is the clearing house for all labour related issues including labour statistics in the country. Thus, the Ministry should ordinarily support stable workplaces with increased productivity by facilitating employment rights, create and facilitate effective labour relations dispute resolution through enforcement of laws that are up to date to ensure a competitive economy, create a database to give information for the analysis of trends in the workplaces and labour force. Where the Ministry is able to meet its goals the nation enjoys increased competitive and appealing economy, high productivity in organisation, compelling workplace value, a fair, equitable, safer and healthier workplaces for all individuals, shelter from sexual violence and harassment on the job and enhanced labour relations across sectors, these facilitates a level playing field for employers and workers to ensure competitiveness.

Adewumi and Adenugba (2010) stated that the Ministry of Labour and Employment was incapable of carrying out its duties due to a shortage of staff to carry out inspection nationwide. Laws are also means by which the state prevents discrimination and maintains peace in industrial relations by referring and deferring to the law in the event of adverse industrial relations situations. These are laws that clarify the rights of the central players in employment. Labour laws are legislative acts that promulgate laws in writing, which are neither fixed nor irreversible and may be changed or modified by court. In

regards to the private sector, Labour and Employment in Nigeria is based on the following major laws but not limited to Labour Act of 2004; Trade Union Amended Act, 2005; Employees Compensation Act, 2010; Factories Act, 2004; Pensions Reform Act 2017; Trade Dispute Act 2004; National Health Insurance Scheme Act; National Industrial Court Act and the third alteration of Constitution of the Federal Republic of Nigeria Act, 2010. These laws do not specifically tackle discrimination and harassment in the workplace but govern the terms and conditions of employment while sometimes referring to discrimination partially.

Labour Acts 2004: is the principal legislation governing employment relations in Nigeria. This act provides general provisions as to protection of wages, contracts of employment and terms and conditions (as regards safe working and conducive environment) in employment, recruiting, special classes of workers and miscellaneous special provisions, employment of women and young persons, as well as record keeping by employers, administration, settlement of dispute among others.

Trade union amended act 2005: The act gives the definition of a trade union, provides that the membership of a trade union is voluntary, and should not be restricted on discriminatory grounds. The law stipulates the procedure for forming trade unions, who can join them, and the conditions for their formation and dissolution.

Employee Compensation Act 2010: This law protects and provides adequate compensation for workers exposed to occupational hazards such as injury, losing a limb or death during employment.

Factories Act 2004: This law protects workers regarding safety and health at work and working conditions. The law covers ventilation, lighting, sanitation, overcrowding, provision of safety accessories to workers at work, procedures for reporting and investigating occupational accidents, and more.

Pension Reform Act 2017: A pension is a monthly contribution made by both the employee and the employer based on the ratio of the contributors to support the employee after employment. The Pension Reform Act of 2017 repeals the Pension Reform Act of 2014. The law establishes regulations and rules regarding the deduction, retention and evaluation of the funds pooled by both parties.

National Health Insurance System Act (NHIS): This Act is created in the 1999 Constitution, act 35 to provide access to reasonable and affordable health care to all Nigerians through various prepayment schemes in order to reduce the cost of medical care for participants.

National Industrial Court Act (NICA): gives the National Industrial Court (NIC) the jurisdiction to hear matters relating to or connected with or arising from Factories Act, Trade Disputes Act, Trade Unions Act, Labour Act, Employees Compensation Act or any other Act or Law relating to labour, employment or industrial relations in Nigeria and it has undergone various changes since its establishment in 1976 in the Trade Dispute Act.

The Constitution of the Federal Republic of Nigeria (Third Alteration) Act, 2010: a constitution is the collection of principles embedded therein the power of a government, the rights of its subjects, and the relationship between the two. Constitution of Nigeria states the powers that exist in making decisions in the country with the security agencies and their functions in Nigeria, fundamental objectives and principles of state policies, how one becomes a citizen in Nigeria, fundamental rights of the people of Nigeria, the process and composition of legislature, executives and public service, generally it states what constitutes Nigeria, how Nigeria is to be governed and the rights of Nigerians.

Presently no specific law(s) bars and talks about discrimination in employment process in accordance to religion, gender, ethnicity, age extensively in Nigeria as can be deduced above, this is supported by (Udoma, Osagie Lambo & Ekemesie, 2018). However, section 15 (2) and 19 (c) of the Constitution of Nigeria with short sentences, allows every citizen a right to freedom from been discriminated against regardless of place of origin, sex, ethnicity, religion, status or language and be free from been discriminated against in various ways or means while Article 17(3 a to e) says Nigerian citizens, regardless of group shall not be discriminated against, shall be provided equal advantage to obtain adequate means of livelihood or employment, that work situations are fair and humane for them, make sure people while at work are safe are not endangered or abused, that people have access to good medical and health care and there should be same pay for same work regardless of demographic. Also, the HIV and AIDS (Anti-Discrimination) Act 2014 and the National Workplace Policy on HIV as well as AIDS 2013 are tools available to

Nigerians facing discrimination based on HIV status. The laws prohibit an employer from directly or indirectly discriminating against an employee because of HIV infection or HIV related illness (this should also apply to other forms of discrimination that individuals may face).

Likewise, Discrimination against Persons with Disabilities (Prohibition) Act 2018 a twenty seven page act, grants people with disability the right not to be discriminated against generally and if discriminated against the perpetrator(s) is or are liable to pay fine(s) ranging from one million to a hundred thousand naira or six months in jail or both depending on if the offender is a corporate body or an individual, part 1 section 1(1). Part 6 of the act also elaborates on their right to have equal access to work, opportunity for employment and involvement in politics. Lagos State has also enacted disability laws to show that these laws are not solely for the Federal Government to put in place. The Lagos State Special People's Law 2010 prohibited discrimination because of an employee's disability. The law demands that employers employing 100 or fewer people to reserve at least 1% of their workforce for qualified disabled people along with other considerations for them. Federal laws prohibiting forms of discrimination are restricted to these three, that is, the Constitution, Discrimination against Persons with Disabilities (Prohibition) Act and the HIV and AIDS (Non-Discrimination) Act. Although there is the Children's Rights Act which prohibits employment of children (Children and adolescents are those under 15 years) in any capacity other than work for dependents, and such employment is agricultural, gardening, and household chores (Udoma, Osagie, Lambo & Ekemesie, 2018) this does not take care of bias against those that are adults.

2.12 Empirical Studies

The goal of the National Employment Policy NEP, (2017) is to make available a safe atmosphere for productive and uptrend in employment in Nigeria. However, decent jobs remain an unmet socio-economic need in Nigeria for many. Some objectives of NEP is to provide jobs for all males and females that can and are willing to work, to make available safe and sustainable income by way of productive and voluntarily chosen employment or job; to give opportunity to each worker that he/she is qualified for and to

use skills and abilities that he/she is qualified for, regardless of demographic factors; to ensure financial safety and social protection of Nigerian employees; develop and prevent the rights and interests of employees in line with International Labour Standards. It is on this note that researches conducted on employment discrimination all over the world and in particular Nigeria are looked into, to establish the occurrence of discrimination in the work place and its varying effects.

Kartolo and Kwantes (2019) conducted a research on organisational culture, perceived societal and organisational discrimination, this study while ascertaining that discrimination and beliefs that exist in the society is carried over to the workplace and that organisational culture amplifies these manifestations did not look at the reactions of employees to the occurrence of discrimination in the work place. Adel and Mahmoud (2021) explored the impact of social and cultural limitations on females contributions in the private service sector and found that cultural practices and social perceptions plays significant role in women's career development in the institutional/formal private sector. However, the study does not mention the role of the Bahrain Ministry of Labour in mitigating this problem. Dilrukshi and Ranasinghe (2021) found out that the existence of bias in hiring, promotion and discrepancies in wage, based on gender discrimination leads to stress and reduces job performance, however this study was solely based on discrimination based on gender without considering others forms of discrimination. Elei (2016) research, unveiled gender and ethnicity to be factors that lead to workplace discrimination and that those managers ignoring complaints of discrimination promotes its reoccurrence while also revealing that there is gender pay grade. However, the study neglected to look at how the trade unions work to curtail discrimination in the work place. Mbah and Okeke (2016) despite revealing that there was gender inequality in the Nigerian financial institutions they failed to establish the roles of stakeholders in ensuring bridging the gap.

Osah, Ukoha and Alagah (2017) took a look at gender, ethnicity and religion as forms of discrimination and submit that these discriminations have negative effect on employee's output as well as efficiency. They submitted that the culture that exists within an organisation is of utmost significance to the existence of discrimination or lack of it in

an organisation. This study was limited because it did not look at practices in place to discourage discrimination in the workplace. Hennekam, Peterson, Tahssain-Gay and Dumasert (2019) using the qualitative method took a look at the usage of hierarchical social power to perpetrate discriminatory practices by evading internal and external discrimination policies. The study found out that individuals in hierarchical positions use their powers to abuse ambiguity of laws, outsource and thereby use cohesion on the outsourcing company, to accept their discriminatory demands. However the study failed to look at the effort or absence of effort by the trade unions and Ministry in charge of discriminatory practices to stop the use of social power in discriminatory practices.

Brondolo, Kelly, Cookley, Gordon, Thompson, Levi, Cassells, Tobin, Sweeney, and Contrada (2005), in a study titled Perceived Ethnic Discrimination submitted that it worsens physical and mental state of Africans in United States. Brondolo et al. (2005) addressed ethnic discrimination without addressing the means available to end its occurrence. Welle and Heilman (2005) investigated impact of unfair treatment on female worker engagement and summarised that women experiencing discrimination were likely less committed to achieving organisational goals. They did not investigate the reasons and factors that contribute to the existence of discrimination for female workers. Ensher, Grant-Vallone, and Donaldson (2001) investigated bias in the workplace on employee work contentment, employee engagement, civic behaviour in the workplace, and how complaints are handled. The investigation revealed a negative impact on employee performance and work attitudes. Although this study did look at job satisfaction, level of commitment, behaviour and grievance handling methods at work. It did not look at how appropriate are the available laws in curbing discrimination at work.

Similarly, Sahdat, Sajjad, Farooq, and Rehman (2011) investigated the aftermath of employment bias on work contentment and productivity, which was shown to negatively impact employee job satisfaction, performance, as well as organisational productivity. The impact of discrimination was the main concern of this study, and the reasons for the occurrence and persistence of discrimination were not considered. Ugoani (2016) also probed the connection of bias at work and organisational competitiveness using management model approach. The study found that workplace discrimination greatly

correlates with organisational competitiveness. The disposition of all stakeholders to discrimination in employment was neglected in the study.

Aguwa, Onyia, Okwaraji and Modebe (2015) on discrimination of workers based on health status revealed that gender did not significantly affect stigmatisation and discrimination of people living with HIV and AIDS (PLWHA) in Nigeria, in the workplace. 72.5% of the respondent said they were not given time off to go to a hospital hence, they are of the view that time not given to visit hospital maybe as a result of discrimination and social inequities usually associated with HIV/AIDS. The provision of the law on protection of PLWHA was not considered. Additionally, a study by Idris, Adaja, Audu, and Aye (2016) found that women in lower management positions were predominantly bullied, which impacted women's productivity within organisations. Furthermore, the prevalence of sexual harassment within organisations is due to inadequate organisational mechanisms to combat sexual harassment and associated violence against women within organisations. While presenting the existence of violence against women at work, the effect, reactions of individual as well as groups and the functions of the stakeholders at work to stop such occurrences was not considered.

Adejugbe and Adejugbe (2018) perused dimensions of gender discrimination and inequality at work, laid special emphasis to issues encountered by women accessing formal employment, been promoted to executive cadre as well as entry to decent work. They further looked at attempts to promote equality among the genders and non-discrimination in regards to the legislation that exists, the perusal showed that laws and judicial actions relating to females in employment are inadequate, breach in enforcement of laws that exist, and not enforcing available laws related to global and national standards. In their efforts to address the above, they ignored the role of the Ministry of Labour and Trade Unions in resolving this issue. Although, this occurred in the public sector, Gberrevbie, Osibanjo, Adeniji, and Olumuyiwa (2014), in their study "Gender Discrimination and Staff Performance in a Public University in Nigeria" gives credibility to (Adejugbe & Adejugbe 2018). According to their survey, 67.4% of respondents accepted that male staff hold lofty leadership roles in Nigerian universities additionally, 42.8% respondents agreed that female employees usually face obstacles in taking on leadership roles. This study, did not

consider the reason women face such obstacles. Obamiro and Obasan (2013) revealed that even though women possess the vital knowledge, skills, competence to perform on the job in construction industry, they encounter hindrances to entre and career development in this industry. The study however did not give an insight into the role of the Trade Union in eliminating such barriers for women. Momoh (2003) while analysing gender engagement in activities of the Unions, detected that females experience barriers holding top positions within the Unions. Men in these positions were two and half times more than women in leadership positions in the unions even though membership populations were almost the same for both sexes. Momoh failed to consider the outcome of glass ceiling on women.

Investigating the influence of sociocultural norms on employment decisions in some depository banks by Babaita and Aliyu (2019) in northern Nigeria, confirmed gender bias exist in some banks in Kano, Nigeria. Here bias extends not only to work but also to education, reason lies in the traditional, cultural, historical, religious and patriarchal structure of the society. Therefore, the research found out that women's national inclusion is enhanced when women are well-skilled, educated and have appropriate guidance and access to education and decent work, regardless of gender, religion or culture. However, the study refrained from examining interest groups' reactions to discrimination. In accordance with the report above, Chia (2018) says there is unfair treatment on the basis of gender in banks used for the study and that socio cultural factor affects the way judgments are made during decision marking both in hiring and promotion. The study reveals that discrimination promotes inefficient hiring and promotion practices therefore gender discrimination is a tool for crumbling the success of any organisation. This study also did not examine the reactions of stakeholders to discrimination and laws available to curb it. Agreeing with the positions above, Longe (2013) recognises that women are discriminated against by facing barriers which men do not usually face because they do not fit the social norms of the gender ascribed to lead in private organisations in Nigeria. Longe did not research into the elimination of such barriers to obtain equal access to leadership positions. Also, Fapohunda (2013) says, discrimination persists against women in employment, accounting for gender pay gap however the factors responsible for discrimination against women were not considered. Ogunrin, Iyayi and Eghafona (2011)

submit that gender inequality at work comes from gender stratification in the world, the effect of such inequalities and the means to extinguish it were not considered.

Meanwhile, Osah, Ukoha and Alagah (2017) deduced from their study, that an organisation unable to abolish religious, gender and ethnic discrimination will wind up with staff characterised by substandard output and efficiency. Employees discriminated against are most likely going to encounter job affiliated distress that impacts their performance. Thus, discriminated group's exhibit behaviours that can negatively impact operation, function and capability of the organisation. This study was limited in scope because it did not consider the activities of the Union, Ministry of Labour as well as the employees' reactions both collectively and individually to the existence of discrimination. Athena and Daisii (2014) found out that discrimination on the bases of religion had negative effect on performance. Study was limited because it did not review the activities of the unions in eradicating discrimination, as well as collective reactions of the employees to it.

Adja-kwaku, Addae, Nkansah and Appiah (2013) on their part, submit that discrimination has negative effect on employee performance and that discrimination based on ethnicity was the highest followed by gender while sexual harassment and sexual orientation were of the same percentage. It also reported that mechanism for redress in cases of discrimination was weak, though the activities of relevant government bodies in eradicating discrimination were missing from the study. Glover, Pallais and Pariente (2017) while examining the performance of grocery store chain cashiers, discovered manager's bias has a negative impact on minority cashiers job performance. It was determined that cashiers from minority group, when slated to work with managers who discriminate are absent often, spending less time on the job, and their turnaround time is slow while attending to customers. The study further highlighted that when managers are not biased minority workers perform better than majority workers. This study however is limited because it only identifies the behaviour of employees working with bias superiors.

Asali and Gurashvili (2019) revealed that discrimination based on wage discrepancies is prevalent as opposed to ethnic wage discrimination and that over time; discrimination in any form reduces economic growth. However, the survey is deficient

because it only looked at two forms of discrimination and neglected to show the factors that sustains them. Zheng (2020) says due to the fear of repercussions, many do not report incidents of discrimination and other forms of abuse, hence this keeps this systemic inequity entrenched within the workplace, thus primary reason for low reporting rate is retaliation. In spite of showing a reason for not reporting discrimination as retaliation, the study did not take into account means and ways to limit the occurrence of discrimination and retaliation in employment.

2.13 Theoretical Framework

This survey is anchored on Disparate Treatment and Disparate Impact Theory, when employers do not treat workers, be they actual or potential employees the same way, based on observable characteristics not relating to productivity at work, then discrimination is said to have occurred. It is a possible cause of market failure thus the consideration of employment discrimination theory that explains the means by which discrimination occurs in an organisation, is reviewed in this section.

2.13.1 Disparate Treatment and Disparate Impact Theory

The theory was advocated for by the Equal Employment Opportunity Commission (EEOC) by 1971 this theory was accepted in law as a structure/means for explaining discrimination in United States. Disparate theory says that certain unchangeable characteristics are not proper factors for decisions in employment; conduct is always unlawful if a person is discriminated against intentionally or unintentionally. Indeed, the ultimate goal of the theory is to determine if a certain employee was deprived on individual membership, classification or categorisation as well as facially neutral policies or practices that in operation had the effect of disproportionately excluding individuals, regardless of the discriminators intent or lack of. The theory has two approaches to explaining discrimination; the theory says bias can be of treatment or impact.

Disparate Treatment

Disparate Treatment (intentional discrimination) is the differential treatment of certain categories of people with the intention to discriminate based on hiring, firing, promotion, training and fringe benefits, in other words treating people differently due to their class like nationality, colour, disability, religion, age, sex and sexual orientation, citizenship, family status, genetic information and so on. Disparate treatment is providing different standards for different individuals (Robinson & Franklin, 2014). It is the treatment of people or someone differently than others in a similar situation. Intention is the basic element of disparate treatment in situations of discrimination, this treatment arise in various facets of life such as employment, seeking loan, housing, and educational opportunities and so on. Disparate treatment ranges from obvious discrimination, to subtle differences in treatment, disparate treatment seeks equality of opportunity and treatment, it stresses that race or other impermissible criteria should not be considered in employment decisions. The central issue in a disparate treatment is whether the employer intended to treat an employee less favourably because of demographic factors (Alessandra, 1989).

Disparate Impact

Disparate Impact arises when a neutral policy on hiring, promotion practices or compensation among others have a disproportionately adverse effect on the people. Disparate Impact is said to have occurred when a policy or practice neutral on its surface has a negative impact upon some people within a group. It seeks to attain equality of outcome or achievement, this approach covers discrimination situations not covered by disparate treatment (Hart, 2007; Alessandra, 1989). Discrimination may happen when an employer implements a facially neutral policy or practice, for which the employer has no legal rationale pertaining to work which negatively, affects people within a certain group differently, the theory is that of misapplication. Intent is not a prerequisite for disparate impact, as discrimination based on disparate treatment is, the latter occurs when an employer intentionally discriminates against one or more individuals. Disparate impact however occurs when the employer has no animus (intention to discriminate), for this reason, disparate impact has been likened to a negligence theory in claims of discrimination. Therefore, even seemingly neutral practices and policies of employers can

be illegal if implemented and enforced in a discriminatory manner. This theory therefore takes into account practices that are formally fair but discriminatory in their function (Seiner, 2006). Such practices and laws are not intentionally discriminatory, but they are invalid because they reinforce the effects of discrimination (Alessandra, 1989).

The disparate theory was applicable to the research because it explains in detail what discrimination is and the way discrimination occurs in any scenario especially in an organisation. Thus, in an organisation discrimination can be carried out intentionally by the employer, employees and even by external customers or unintentionally through policies, rules and regulations and procedures that exist within an organisation, these can bring about differential outcomes which are negative for some and positive for some among employees of the same category. Therefore, when policies/guidelines are in place; such policies, rules and regulations must have the same effect and outcome across board for all involved. Usually when this occurs it is said to be unintentional because the policy or regulation makers did not intend to discriminate but when executing the rules or policies differential treatment and outcome occurred.

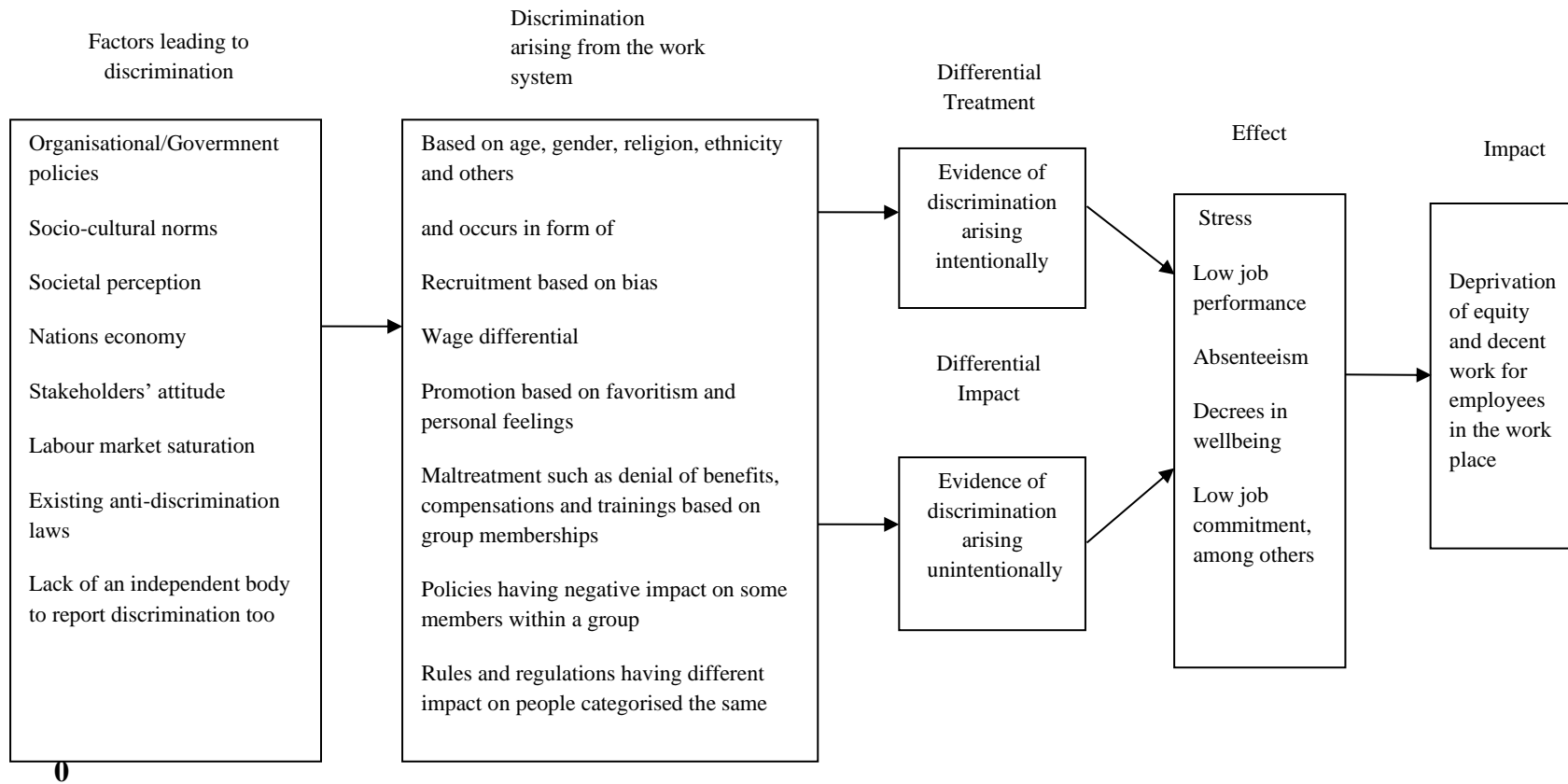


Fig. 2.2: Conceptual Framework for a comprehensive understanding of the causes, nature and consequences of work-base discrimination in the Organised Private Sectors

Source: Researcher, 2021

Organisation/government policies, labour market saturation, stakeholders attitude, socio-cultural norms, societal perception, nations economy, lack of an independent body to report discrimination too, are all determinants of employment discrimination in the workplace. These factors lead to various forms of discriminations such as age, gender, religion, ethnicity and so on in employment, while these forms of discrimination occur in the work process through bias in hiring and work conditions, wage differential among workers who hold the same post within an organisation, based on favouritism, promotion, policies that have different effect on same category of people to mention a few. Indicating that, discrimination happens intentionally when workers are treated differently based on factors that has nothing to do with conditions of work, as well as unintentional, based on policies which were not formulated with the intent to discriminate but at the point of implementation, impacted negatively on some members of the same group which the policy was meant for. The result of discrimination in employment is the erosion of access to equity and decent work in employment. Strict adherence to laid down procedures that are devoid of personal considerations and emotions results to elimination of discrimination with decent work as the outcome.

2.15 Appraisal of Literature

The literature review examined various determinants of employment discrimination in Nigeria. Studies have found that age, ethnicity, medical records, religion, gender roles and peer influence determined difference in treatment in employment. These determining factors were investigated in connection to discrimination in employment to properly understand how they limit, influence or aid access to decent work in the formal sector. In the works reviewed, employment discrimination is seen as difference in treatment that impairs opportunities and growth of employees and job seekers. Employment discrimination is also seen as a hindrance to achieving basic/primary and secondary needs such as food, clothing, shelter, adequate medical services, protection, respect, recognition, status and self-actualisation. It has been identified to lead to stress, low job performance, increase in absenteeism and employee turnover, decrease employee wellbeing and reduce employee commitment to work.

The right to employment is regarded a right of all individuals of working age, in order to sustain their existence and that of dependents. However, not every individual has the ability to exercise this and it diminishes the individual's performance and value, career growth and progress in life. Surveys on employment discrimination report that it occurs based on various factors and determinants such as age, ethnicity, medical records, gender, appearance and that socio-cultural norm, labour market saturation, societal perception among other determinants encourage and sustain discrimination in employment (Aley, 2016; Imade, 2017; Okeke, 2017; Tijani-Adenle ,2016; Osah, Ukoha and Alagah, 2017) this has consequences on the society, the organisation and the individuals. Studies reviewed for the study have focused on how employment discrimination affects output, commitment, productivity and performance, and also the various forms such as age, gender and religion but none has taken a holistic look at its dimensions from the perspective of the employees, trade union executives and the officials of the Ministry of labour and employment.

CHAPTER THREE

METHODOLOGY

This chapter elucidates the process of conducting research which includes the study design, population, sampling technique, sample and sample size, instrument used to obtain data, its validity and reliability, process of data collection and the tools used to analyse data.

3.1 Research Design

Descriptive research design was employed for the survey since the research does not involve experimentation or manipulation of any independent variable to know the outcome of the casual-effect relationship between the dependent and independent variables. Using the descriptive survey design the researcher carefully collected data from sample chosen as they are being treated in their natural setting and analysed the data in order to arrive at logical conclusions.

3.2 Population for the study

This comprises of staff of private owned organisations in Ibadan metropolis. However, the study's target population are full time employed staff of the six selected organisations from the OPS.

3.3 Sample and sampling techniques

A multi-stage sampling procedure comprising of disproportionate and simple random sampling techniques were used to select respondents for the study in order to have an appropriate representation of the sample elements. This was executed in stages:

Stage 1: Six organisations were disproportionately chosen due to accessibility to employees. These are Zartech Nigeria Limited, Sumal Foods Ltd, Yale Foods Ltd, Sweetco Foods, Sterling Bank and Premier hotel.

- Stage 2: The total number of full time employees was requested for and was given to the researcher in each organisation.
- Stage 3: Simple random sampling was used to determine the final respondents.
- Stage 4: The above procedure was used to determine the sample size and respondents for staff of the Inspectorate Department excluding stage one.
- Stage 5: Simple random sampling was used to determine the respondents for Trade Union officials.

Table 3.1: Organisations population and sample size selected for the study

Organisation	Sample size	Final sample size used for analysis
Zartech Ltd	115	73
Sumal Foods Ltd	98	93
Yale Foods Ltd	90	54
Sweetco Foods Ltd	109	65
Premier Hotel	49	24
Sterling bank	55	31
Total	516	340

Table 3.2: Trade Union Executives Population and Sample size for the study

Trade Union	Population/Organisation	Population	Sample size
Agricultural and Allied Employees union officials (AAEUO)	Zartech	11	7
National Union of Food and beverage and Tobacco employees (NUFBTE)	Sumal Foods	8	5
	Sweetco Foods	8	4
	Yale Foods	8	-
	Total		9
National Union of Hotels and Personal Services Workers (NUHPSW)	Premier	10	8
Total		45	24

3.4 Instrumentations

Mixed method of data collection (quantitative and qualitative) was utilised in carrying out the survey to have a clear insight to the problem and yield more comprehensive evidence. Three sets of questionnaires that had sub scales which were adapted and self-structured were used for the study namely, Employees' Employment discrimination questionnaire, Assessment of Trade Union's on Employment Discrimination Questionnaire and Assessment of Labour Officials on Employment Discrimination in the Organised Private Sector Questionnaire. Aforesaid, were used alongside two qualitative methods, that is, the In depth interview (IDI) and Key informant interview (KII), these were employed to generate information to strengthen findings from top officials of Trade Unions and those of the Ministry of Labour and Employment as well as three Labour Law Practitioners respectively.

3.4.1 Employees' Employment Discrimination Questionnaire

Employees' Employment Discrimination Questionnaire gathered data on the forms, reactions, factors that sustain discrimination, awareness of redress mechanisms available, effect of discrimination, roles and actions of both the trade union executives and key officials of Ministry of Labour in reducing discrimination and availability of labour statutes on employment discrimination. The questionnaire had eight sub scales; each developed to measure the key variables relating to the main focus of employment discrimination. To ascertain the reliability of this questionnaire it was administered on 20 respondents at Krishat Pharmaceuticals Industry, Podo, Ibadan during a pilot study. With the use of the Cronbach Alpha reliability test, the reliability coefficient yielded 0.89 for all the items on the questionnaire. This questionnaire was rated by choosing from four options of gender, ethnicity, religion, age, Yes/No, Yes, No and Not Aware, and a 4 point Likert scale made up of strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD) . The eight sub-scales are discussed in detail below:

Forms and Prevalence of Employment Discrimination Sub-Scale

The scale used is an adapted scale titled Workplace Prejudice/Discrimination Inventory (WPDI) by James, Lovato, and Cropanzano (1994). It gathered information on four forms of discrimination that may occur in the employment process. It consisted of 11 items, which were rated by ticking the appropriate form/demographic of gender, ethnicity, religion, age.

Employee's reactions sub-scale

The scales used here, are adapted scales, titled Coping with Discrimination as seen in Williams 2016 by Krieger (1990) and McNeilly, Anderson, Armstead, Clark, Corbett, Robinson, Pieper, and Lepisto (1996) and Individual Employment Rights Telephone Questionnaire by Meagers, Tyer, Perryman, Rick and Willison (2002). This scale gathered information on response and attitude of employees towards discrimination; it consists of 19 items which were rated by choosing Yes and No options.

Employment discrimination factor sub-scale

This scale gathered information on the factors that encourages the existence of discrimination in the employment process, it consisted of 7 items, which were rated using a four point Likert scale comprised of Strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

Employment discrimination redress mechanism sub-scale

The scale used is an adapted scale titled grievance questionnaire scale by Ershad (2010). It gathered information on employees knowledge on availability of redress mechanism on discrimination that exist in their organisation and country, it comprises 8 items rated using Yes, No and don't know options.

Effect of employment discrimination sub-scale

The self-structured scale gathered information on the consequences of discrimination on the employees and organisation, from the employees, it consists of 9

items which were rated using a four point Likert scale comprised of Strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

Trade union role on employment discrimination sub-scale

The self-structured scale gathered information on the function and role of TU by employees on the eradication of discrimination at work, the scale consists of 8 items, rated using a four point Likert scale that is Strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

Labour statutes and employment discrimination sub-scale

The self-structured scale gathered information on employees knowledge on the existing labour laws on discrimination at work, this scale consists, 6 items rated using a Yes, No and Don't know options well as open-ended question.

Ministry of labour and employment discrimination sub-scale

This scale gathered information on the functions and effort of the Ministry of Labour on eradicating discrimination at work, the scale consists of 5 items, rated using Yes and No options.

3.4.2 Assessment of Trade unions on Employment Discrimination Questionnaire

Assessment of Trade unions on Employment Discrimination Questionnaire gathered information on reactions of Trade Unions to employment discrimination, factors that sustain discrimination, awareness of redress mechanisms available, role of the Ministry in reducing discrimination in employment and the availability of labour statutes on discrimination. The questionnaire had five sub scales; each developed to measure five variables relating to the main focus of employment discrimination. To ascertain the reliability of this questionnaire it was administered on 10 respondents of the NLC in Lagos state during a pilot study. With the use of the Cronbach Alpha reliability test the reliability coefficient yielded 0.93 for all the items on the questionnaire. This questionnaire was rated using 4 point Likert scale made up of strongly agree (SA), Agree (A), Disagree (D) and

Strongly Disagree (SD) and Yes, No and don't know options. The five sub-scales are discussed in detail below:

Employment discrimination factor sub-scale

This scale gathered information on the factors that encourages the existence of discrimination in the employment process, it consisted of 6 items, rated using a four point Likert scale made up of strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

Trade Union reaction to employment discrimination sub-scale

This scale gathered information on the function of the TU on the eradication of discrimination at work, the scale consisted of 6 items, rated using a four point Likert scale that is of Strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

Awareness of employment discrimination redress mechanism sub-scale

The scale used is an adapted scale titled grievance questionnaire scale by Ershad (2010). It gathered information on the knowledge of TU officials on availability of redress mechanism on discrimination in their organisation, it consisted of 9 items rated using a Yes, No and don't know.

Labour statutes and employment discrimination sub-scale

This scale gathered information on TU officials knowledge on the existing labour laws on discrimination at work, this scale contains 6 items rated using Yes, No and Don't know options.

Ministry of Labour and employment discrimination sub-scale

This scale gathered information on the functions and effort of the Ministry of Labour on eradicating discrimination at work, the scale consists of 6 items rated using Yes and No options.

3.4.3 Assessment of Labour officials on Employment Discrimination in the Organised Private Sector Questionnaire

Assessment of Labour officials on Employment Discrimination in the private sector gathered information on the role of the Ministry in reducing discrimination in employment and the availability of labour statutes on discrimination. The questionnaire had two sub-scales; each developed to measure two variables relating to employment discrimination. To ascertain the reliability of this questionnaire it was administered on 20 officials of the Ministry of Labour and Employment Lagos State during a pilot study. With the use of the Cronbach Alpha reliability test, the reliability coefficient yielded 0.77 for all the items on the questionnaire. This questionnaire was rated using a four point Likert scale made up of Strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD), Yes, No and Don't know as well as open-ended questions. The two sub-scales are discussed in details below:

Labour statutes and employment discrimination sub-scale

This scale gathered information on officials knowledge on the existing labour laws on discrimination at work, scale comprises of 6 items, rated using Yes, No and Don't know options.

Ministry of Labour and Employment discrimination sub-scale

This scale gathered information on the functions and effort of the Ministry of Labour on eradicating discrimination at work, this scale contains 9 items rated using a four point Likert scale that is Strongly agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

3.4.4 In-depth Interview (IDI)

Seven IDI sessions were conducted for officials of Trade Unions and staff of the Inspectorate Department, Ministry of Labour and Employment. Each IDI session was conducted by the researcher within 10 days of collecting the questionnaire. There were two sessions each per organisation except for Agriculture and Allied Employees Union

Officials (AAEUO) that had just one participant, one participant was interviewed per session and their consent to record the interview was gotten. The sessions were conducted on the day and time as agreed by the participants in their workplace, the IDI sessions lasted for 45 minutes. The researcher introduced self and explained the process to be taken during the interview, then went on to ask questions as approved by the ethical committee. The interviews were recorded and timed.

3.4.5 Themes for IDI Interview guides for Trade Union members

1. Discrimination a major factor to organisational development.
2. Mediation in cases of discrimination.
3. Eradication of discrimination by the Trade Union.
4. Available grievance procedure(s).
5. Effect of discrimination on trade unionism

3.4.6 Themes for IDI Interview guides for staff of the Inspectorate Department, Ministry of Labour and Employment.

1. Views of the Ministry on discrimination
2. Policies addressing discrimination.
3. Reports on discrimination.
4. Effort of the Ministry in curbing discrimination in Employment process.
5. Creation of awareness on discrimination
6. Training on discrimination
7. Liaison with the unions in ensuring workers welfare.

Table 3.3: Information on IDI sessions conducted

Union and Ministry	Number of interviewee	Sessions per interviewee	Date
Ministry of labour and employment officials (Inspectorate department)	2	2	12-04-2021
National union of Food and Beverage and Tobacco union Executives	2	2	15-04-2021
National Union of Hotels and Personal Services Workers Executives	2	2	16-04-2021
Agricultural and Allied Employees union officials Executives	1	1	19-04-2021
Total	7	7	

3.4.7 Key Informant Interview (KII)

Three labour law practitioners were interviewed to determine the existence of discrimination laws and statutes as well as how adequate and practical the law(s) in existence is or are. The KII sessions each lasted for 45 minutes.

3.4.8 Themes for KII Interview guides for Labour practitioners.

1. Labour law and usage.
2. Labour act on discrimination.
3. Reduction of discriminatory practices in the world of work.

3.5 Procedure for data collection

An approval from the Ethical Consideration Committee, Social Sciences and Humanities, University of Ibadan was obtained, to avoid a contradiction of ethical issues. After which the questionnaires were administered by the researcher and a trained research assistants from each organisation listed above. Four weeks was used to conduct the research, the first three weeks were used to administer and collect the questionnaires and interviews were conducted the fourth week.

3.6 Method of data analysis

Data collected through quantitative method was analysed using descriptive statistics of simple percentage, frequency counts, mean and standard deviation, while data collected through qualitative method was thematically analysed.

3.7 Ethical Approval

In research, ethics is considered as a major issue to take into consideration in conducting a research, in order not to temper with the rights of human subjects to be used. Ethical consideration is a major factor for this research because ethics is the tenets governing a person's behaviour when conducting an activity (online dictionary). Research proposal was given to the Ethical Consideration Committee for scrutiny, to ensure that this

research does not raise or contradict any ethical issues; this is to maintain credibility and increase the authenticity of the result obtained by the study. The following ethical principles as listed by (Resnik, 2015) were used to guide this research.

Confidentiality: this means identity of participants who gave information shall not be disclose to anyone for any reason whatsoever.

Honesty: sincerely report data, results, methods and procedures. Not falsifying and misrepresenting data by deceiving stakeholders and the public.

Objectivity: to avoid bias in experimental designs, data analysis, interpretation, reviews and other aspect of research.

Respect for intellectual property: give proper recognition or credit for all contributions to research, no plagiarism. Respect copy rights, patents and other forms of intellectual property.

Openness: share data, result, ideas, tools, resources.

Participant/respondent must not be harmed: those that partake in the survey are to be protected from been hurt or mistreatment as a result of the survey.

Consent: Participation in the study is not mandatory, written and informed consent must be obtained to document willingness to participate in the survey. This is essential for it proofs that nobody was coerced to partake in the survey. Meanwhile the respondents are free to refuse to participate and withdraw from the study without penalty or punishment.

CHAPTER FOUR

RESULTS AND DISCUSSION OF FINDINGS

Chapter four provided results and inferences from the analysed data gathered through research instruments. Three questionnaires, in depth interview (IDI) and key informant interview (KII) were used for the study, thus analysis of each questionnaire was done by dividing them into two parts: Part A represents demographic information of the respondents for this study. Part (B) presents results from the analyses of information collected using the questionnaires, IDI and KII.

PART A

4.1 Analysis of Demographic data of Participants

Demographic information of employees who responded pages 92-96

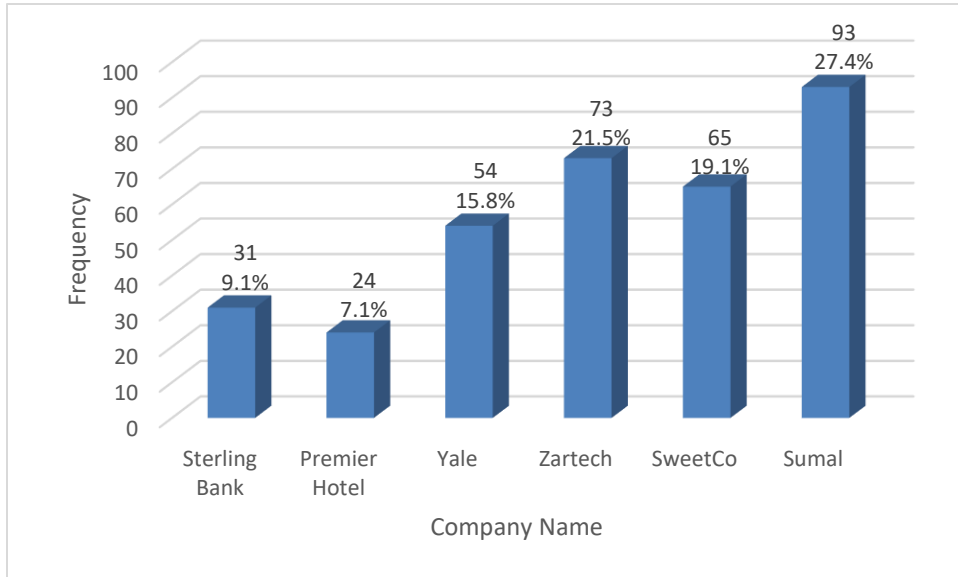


Fig. 4.1: Distribution of respondents of selected organisations

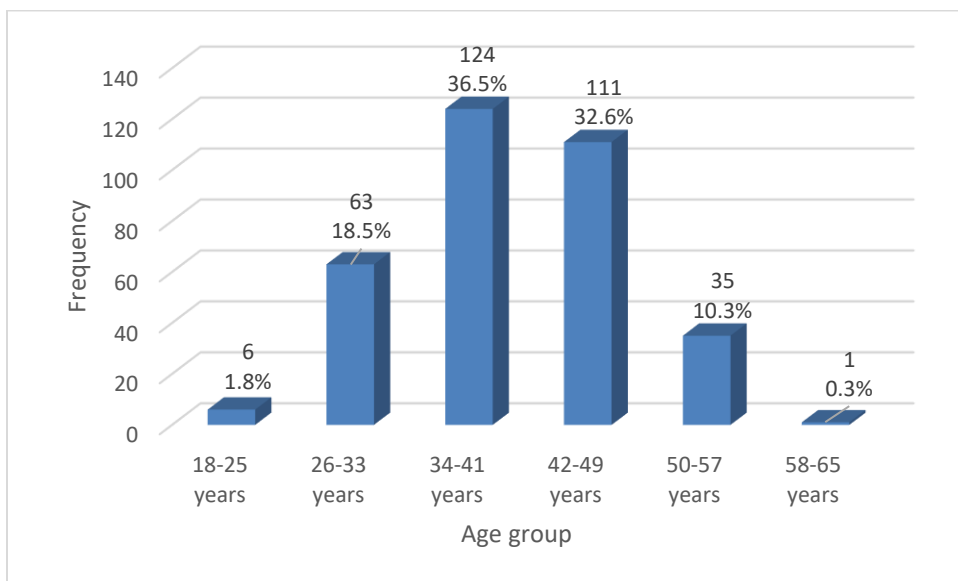


Fig. 4.2: Representation of employees by age range

Fig. 4.1 denoted that 9.1% of employees are from Sterling Bank, 7.1% are from Premier Hotel, 15.8% are from Yale, 21.5% are from Zartech, 19.1% are from SweetCo, and 27.4% are from Sumal Foods. This showed that some organisations have more staff strength than others which can be linked with the availability of more departments within some of these organisations and the kind of services they render. For example, the financial institution Sterling Bank has just three to four departments while the manufacturing organisations have not less than seven departments depending on what they produce. Supporting the observation above, Pitts and Clawson (2008) gave an insight to why organisations are different from each other while explain organisations and their structure. They revealed that, service rendered determines the structure of the organisation in terms of size, staffing, technology, span of control among others.

Fig. 4.2 portrayed 1.8% employees are between 18-25 years of age, 18.5% are between 26-33 years, 36.5% are between 34-41 years, 32.6% are between 42-49 years, 10.3% are between 50-57 years, and 0.3% is between 58-65 years of age. This is in line with the National Bureau of Statistics (NBS) (Q4 2017-Q3 2018) where it is determined that the Labour force population includes every one aged 15 to 64 years who are ready and able to work despite having a job or not. Moving on , the above revealed that majority of the staff in these organisations are within the ages of 34 to 49 years of age this are people that fall under the breadwinners of their families thus they might be reluctant to report discrimination in order to keep their jobs and provide for families. Australian Human Rights Commission (AHRSC) (2015), confirmed that a lot of people who have experienced discrimination do not take action against discrimination, one of the reasons been that they feared that it might hinder their career or that they would get fired.

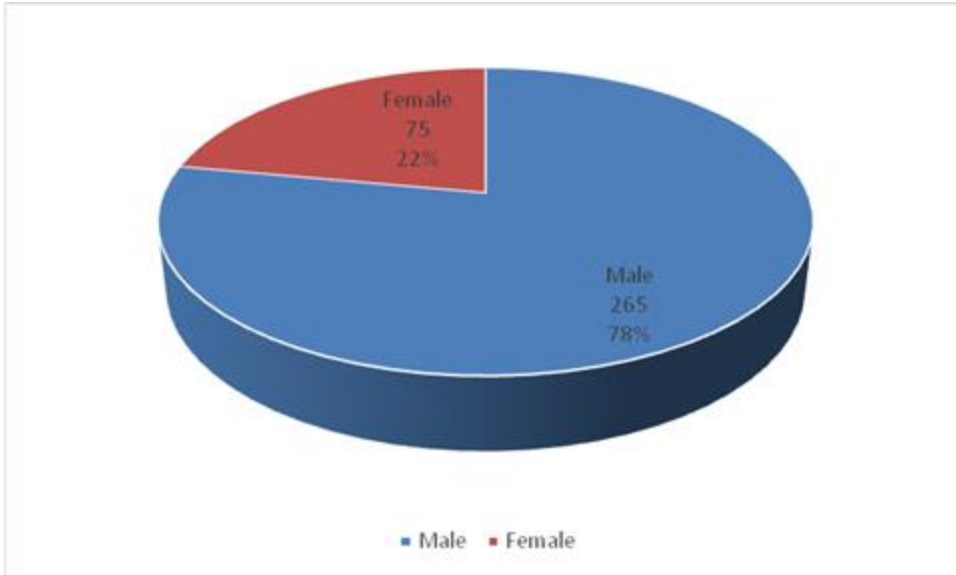


Fig. 4.3: Depiction of employees by gender

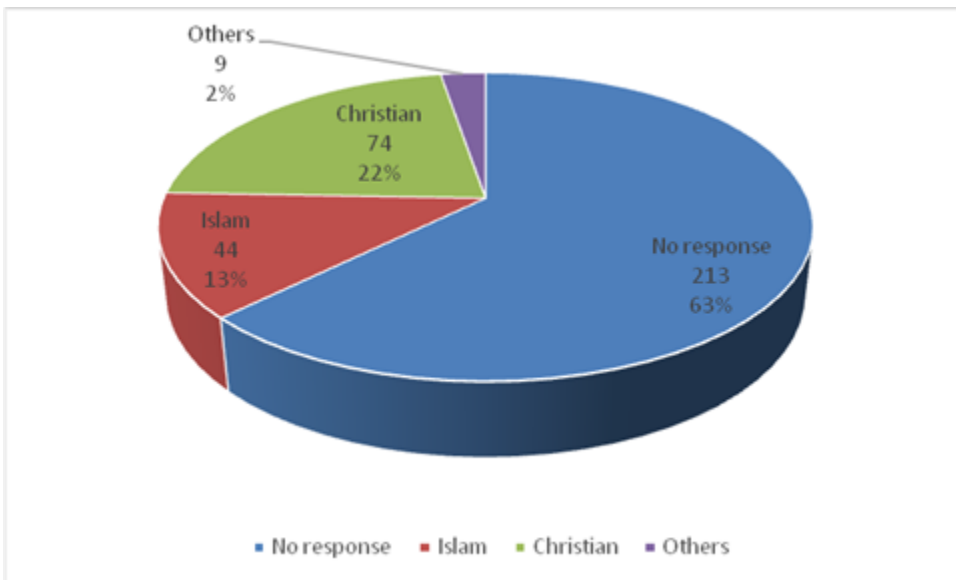


Fig. 4.4: Distribution of employees by religion

Fig. 4.3 demonstrated that 78.9% employees are male, and their female counterparts are 22.1%. The above analysis point out that there were more male respondents and this was in line with the physical contact made during the administration of the questionnaires; the researcher encountered more males than females in most of the organisations particularly the agricultural and manufacturing organisations used for the study. This could be due to gender preferences for certain work positions in these industries. Sustaining this position are (Osunde, 2015; Ndubuisi, 2017; Adeosun & Owolabi, 2021), presenting that it has been empirically proven that disproportion in gender allocation exist in various sector of the economy throughout the years favouring the male, hence, men's physical structure has been credited with bringing about the assumption that they are more productive and deserving of more pay than females thus, gender imbalance. But, Walker (1872) is of the opinion that even in jobs that does not require physical strength or differences, males still dominate, thus a high number of females are excluded from viable job opportunities.

Fig. 4.4 reflected that 12.9% employees are Muslim, 21.8% are Christian, 2.7% had other religious status not disclosed and a total of 62.6% where silent on their religious status. Thus, regardless of resorting to religious comfort or going to church frequently has some portrayed in the analysis on table 4.2.1 (items 6 and 16) this does not help to eradicate discrimination. Although, Ellison, DeAngelis and Güven (2017) found out, religious church-based social support mitigated the negative connection between discrimination and mental health, this is only for respondents who reported receiving religious comfort with aid very often. Hence, it is crucial to highlight that religion helps only with negative mental health and not with addressing the action of discrimination itself.

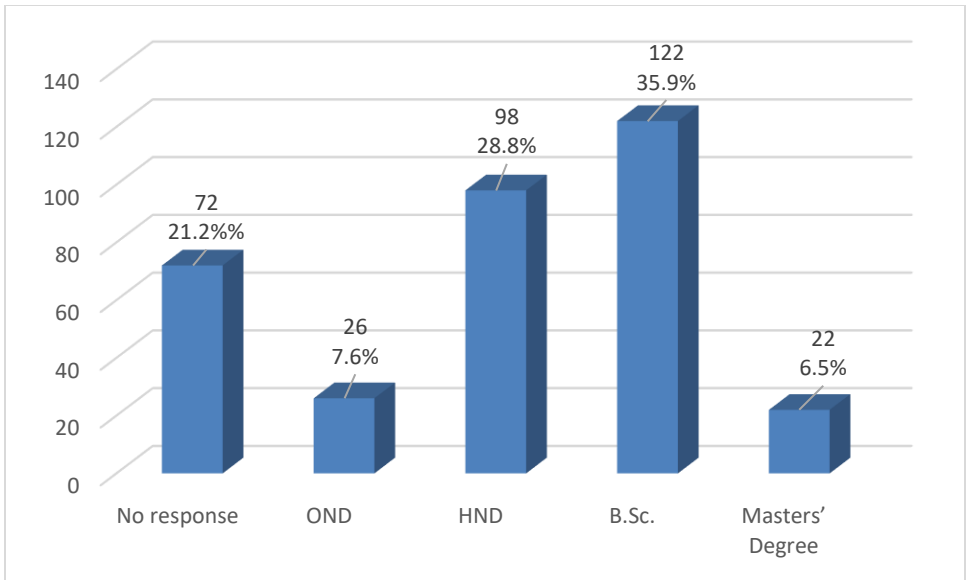


Fig. 4.5: Representation of employees by educational qualification

Demographic information of Trade Unions (TU) respondents pages 96-98

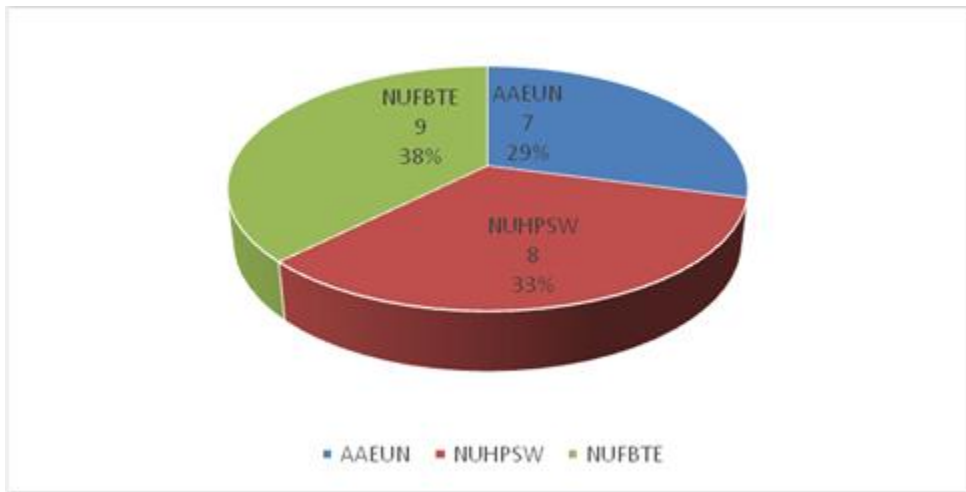


Fig. 4.6: Depiction of respondents by trade union

Fig. 4.5 spelled out the composition of the sample based on their educational qualification, 7.6% employees had OND certificate, 28.8% had HND certificate, 35.9% had B.Sc. certificate, and 6.5% had Masters' degree certificate while 21.2% gave no response. The above result revealed that majority are B.Sc holders followed by HND and OND with master's degree holders been the least. Even though the report shows that majority own a B.Sc this thus not have a positive effect on reporting of discrimination made against them and their knowledge of laws as they pertain to them particularly when it comes to discrimination based on the data gotten on research question 2 Table 4.2.1 (Items 8 and 18) and research question 4 respectively. Ro and Choi (2009) in buttressing this, says racially heterogeneous educated women tend not to report discrimination at work. Similarly, Watson, Scarinci, Klesges, Slawson, and Beech (2002) said women in top executive positions would most likely take an action about being treated unfairly than those who were not in managerial positions, meaning, only those in power might fight discrimination when it happens to them. Even though the respondents of the above studies were adult females, the reports of these studies and that gotten from this study indicates so far that educational degree seems to have no significant effect on reporting discrimination in the work place.

Fig. 4.6 showed that out of a total of 24 trade unions respondents 29.2% are for AAEUO, 33.3% are for NUHPSW, and 37.5% are for NUFBTE. This conveyed that trade union executives had a positive disposition to providing information on discrimination at work.

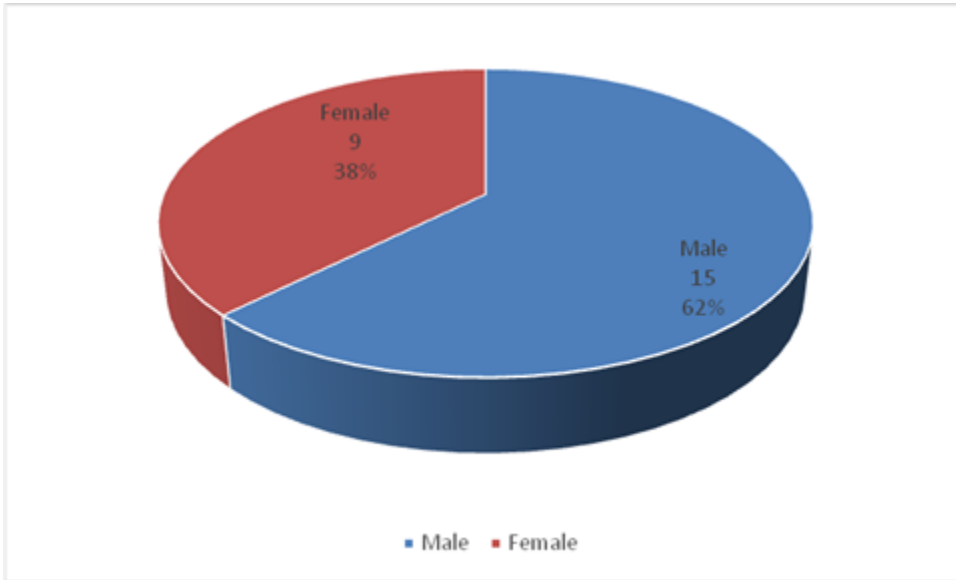


Fig. 4.7: Distribution of TU participants by sex

Demographic information of Labour Officials respondents pages 98-101

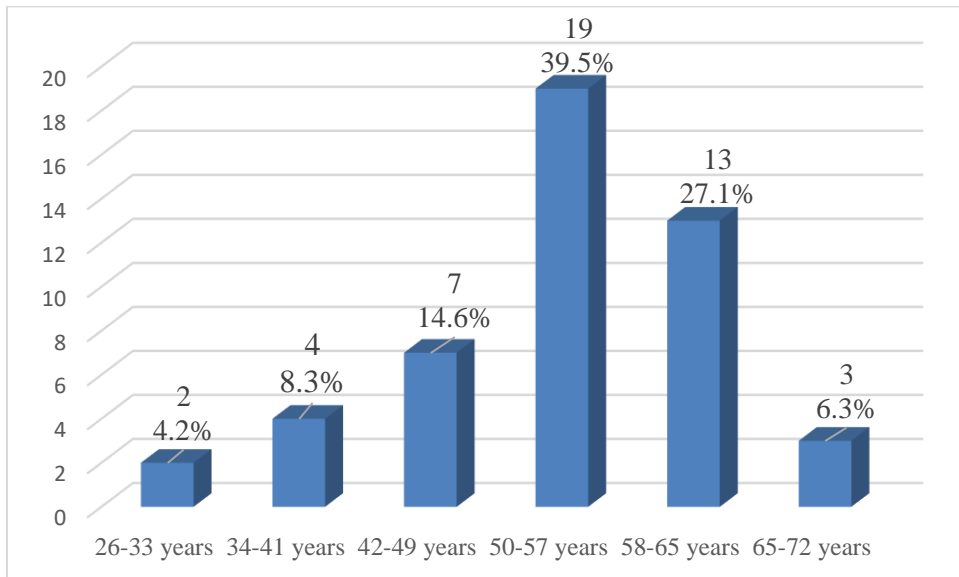


Fig. 4.8: Representation of Labour official's by age

Fig. 4.7 conveyed 62.5% of the TU officials are male and their female counterparts are 37.5%. the data above displayed that there were more males holding a post within the unions which can be linked with the employee gender representation above where it was revealed that there were more males in employment in the organisations used for the study.

Fig. 4.8 showed 4.2% of the officials are between 26-33 years, 8.3% are between 34-41 years, 14.6% are between 42-49 years, 39.5% are between 50-57 years, 27.1% are between 58-65 years, and 6.3% are between 65-72 years of age. As presented by the bar chart above there were more officials between the ages of 50 to 65 within the Ministry. In line with the findings above Casimir (2018) also discovered in a study on Ministry of Information and Culture that 20% of participants were within the age of 26-33 and 33% are within 50 years and above, implying that there are more older workers than young workers in the Ministries.

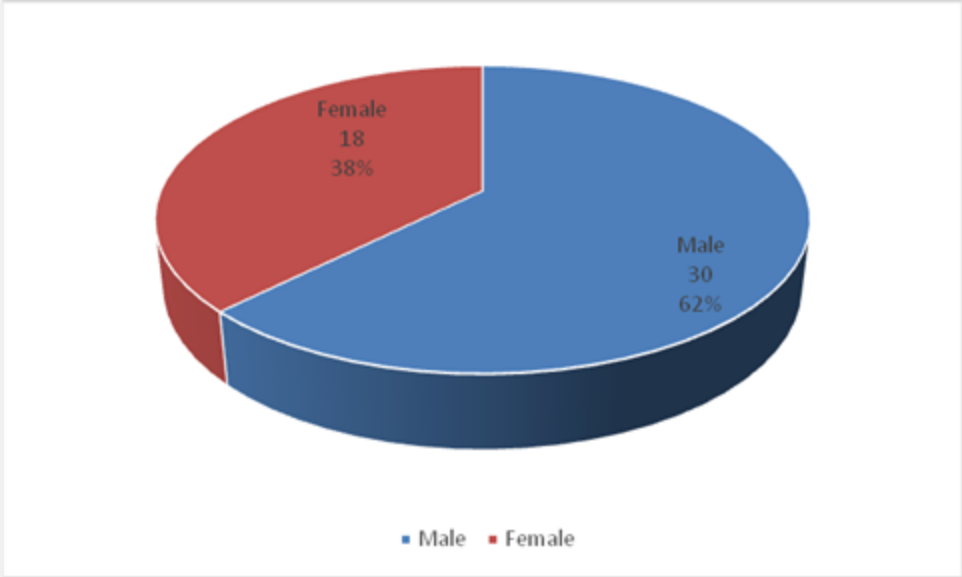


Fig. 4.9: Depiction of Labour official's by sex

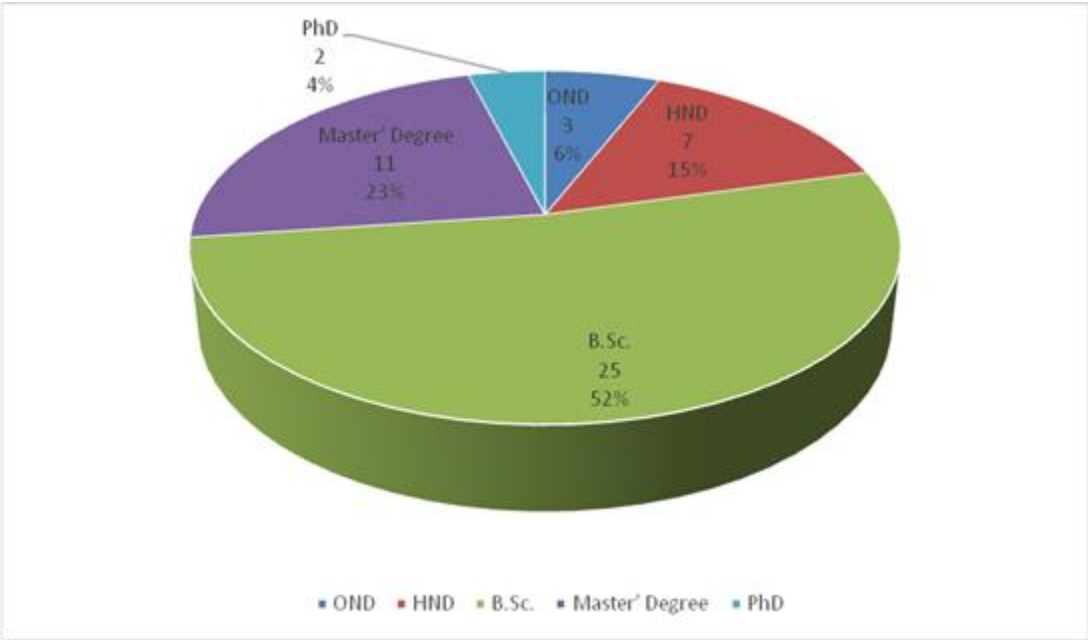


Fig. 4.10: Distribution of Labour official's respondents by educational qualification

Fig. 4.9 showed that 62.5% members are male and their female counterparts are 37.5%. Gender representation for Ministry Officials also communicate that there were more males than females. Casimir (2018) in his survey form another Ministry substantiated this by reporting there were more male 52% participants than female 48%. Although, when the data for this study was collected, they were on break and just resuming after COVID-19 outbreak, skeletal shifts were done this might probably account for the result.

In fig. 4.10 conveyed that 6.3% members had OND certificate, 14.6% had HND certificate, 52.1% had B.Sc. certificate, 22.9% had Masters' degree, and 4.2% had PhD certificate, thus a total of 48 respondents from the Ministry took part in the survey. Casimir (2018) supporting the results above indicated 60% had HND/B.Sc while only 1% had PhD degrees, signifying that Federal Ministry staff are not inclined to further their studies. Also, academic attainment of officials does not have a positive effect on their knowledge and awareness on laws existing to tackle discrimination in the work place as revealed by the study.

PART B

4.2 Analysis of Research Questions

Analyses of the results obtained from the IDI, KII and three questionnaires used in obtaining data for the study are presented here. The three questionnaires are Employees' Employment Discrimination Questionnaire, with eight scales representing all 8 research questions formulated for the study, Assessment of Trade Unions on employment Discrimination Questionnaire provided answers to research question 2,3,4,7, and 8 with a total of 5 scales and Assessment of Labour Officials on Employment Discrimination in the Private Sector Questionnaire provides answers to research question 7 and 8 with 2 scales.

RQ1: What are the forms and prevalent forms of employment discrimination existing in the Organised Private Sector?

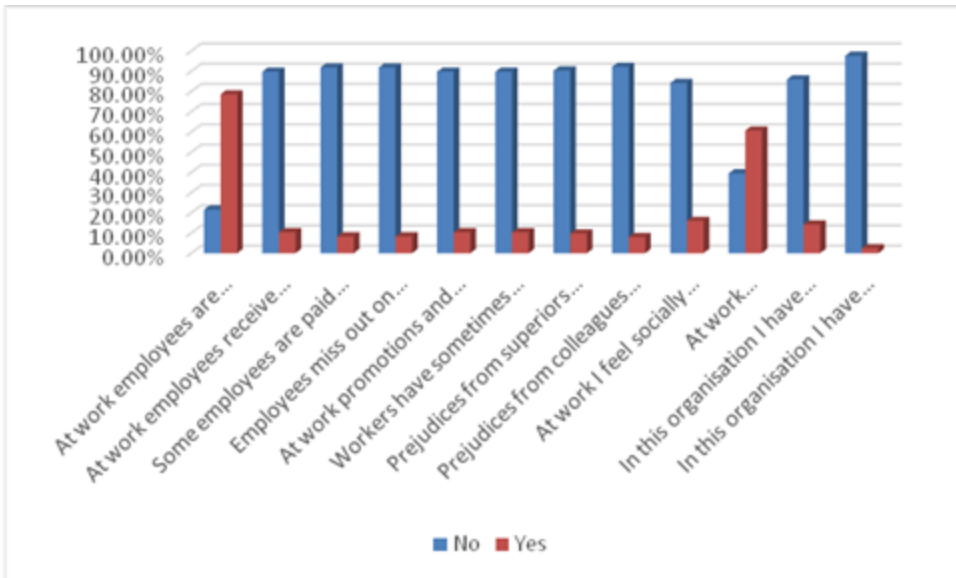


Fig. 4.2.1: Form and prevalence of employment discrimination by gender

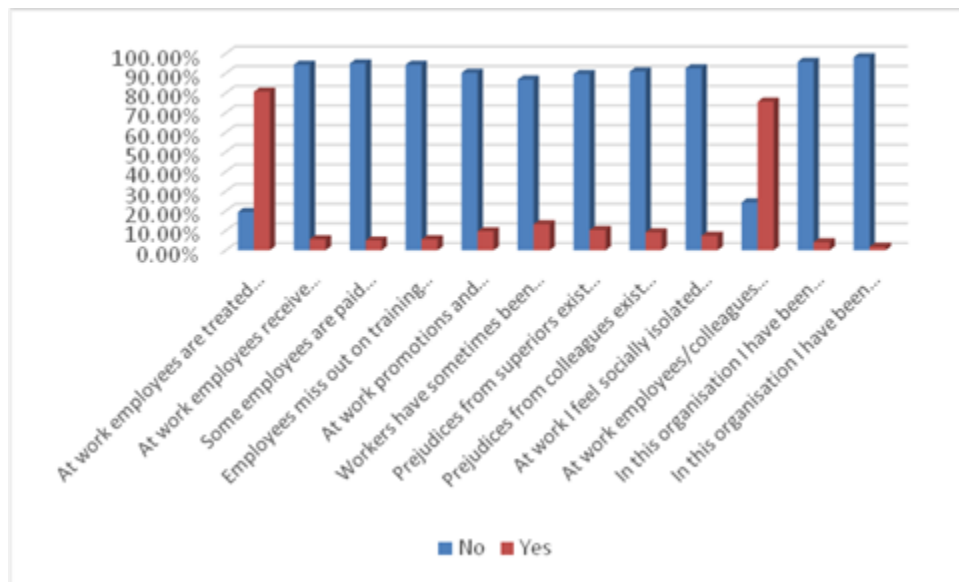


Fig. 4.2.2: Form and prevalence of employment discrimination by ethnicity

Fig. 4.2.1 showed the analysis regarding forms of employment discrimination existing in OPS based on gender, items one to five deals with discriminatory policies that

exist within the organisation, items six to nine deals with discriminatory practices among employees, while items ten and eleven show the prevalence of discriminatory practices by management and among employee based on gender. Therefore items one to six based on discriminatory organisational policies indicates that 21.5% of the employees are not treated the same by management based on gender, 10.3% receive fewer career opportunities due to policies on gender, 8.2% miss out on trainings and learning, 8.2% of the employees also indicated that no employees are paid different salary to that of others with same qualifications.

Items six to nine look into discriminatory practices among employees and the items revealed that 10.3% have been unfairly treated by superiors, 9.7% and 7.9% they have been prejudiced by superiors and colleagues respectively, 15.9% says they feel socially isolated based on their gender at work. Items ten and eleven show that gender is the second most prevalent of the form of discrimination with 28.5% when summed up.

Hence, there are forms of employment discrimination by gender in the OPS as revealed by the result above however, it is also pertinent to take into cognisance the demographic information on fig 4.1.3 above on distribution of gender of the employees, which displayed the proportion of female respondents is small to that of male respondent, an indication of gender gap which also portrays the existence of gender discrimination which might be indicative that gender discrimination is at par or more prevalent than age.

Consistent with this result, Efanga , Majiyebo Bob Alli, IHEMEJE and ADELEKE (2021) while substantiating the existence of discriminatory practices and job opportunities of women in the manufacturing organisations in Nigeria showed the means by which bias is cultivated and embedded by way of seemingly neutral occupational rules and practices just as disparate impact portrays in the theory. Elei (2016) confirmed that gender is a form of discrimination which hinders employee performance in the workplace. Adeyeye (2020) also say, there are more men in formal employment than women and that Nigeria rank 122nd in closing the gender gap in employment out of 144 countries. Although, the studies were on the Public Sector, Mukamudenge (2021) and Igwe (2022) were of the view that low recruitment and bias against women in formal employment whether in the public or private sector was due to stereotypes resulting into discrimination, Gonzalez, Cortina and

Rodrigues (2019) were also in support of this. Even though, organisational policies do not seem to discriminate based on gender, this result indicates that stereotypes occur during engagement in the process of employment regardless of what the organisational policies says. Opoku, Mugisi and Boahen (2021) say women in contrast to men have a low possibility of engaging in formal employment due to traditional gender roles performed at home which ultimately requires a bridge to ensure economic and employment equity between both sex. Discrimination in the work- place against women and the gender gap might be because of the social construct and gender roles to which women are confined to in the society, misogyny faced and the patriarchy nature of the society thus stereotyping women into performing only duties that has to do with nurturing especially at home, these are then carried over to the work place thereby creating barriers for women in gaining and advancing their careers.

Fig. 4.2.2 revealed the statistical presentation on the forms of employment discrimination existing in OPS on ethnicity, items one to six which is based on discriminatory organisational policies shows that 11.4% of the employees indicated that they are not treated the same by management based on ethnicity, 5.6% receive fewer career opportunities due to policies on ethnicity, 5.0 % employees also indicated that employees are paid different salary to that of others with same qualifications, 5.6% miss out on trainings and learning, 16.1% are of the view that rewards and promotion are influenced by ethnicity. Items six to nine revealed that 20% have been unfairly treated by superiors, 18.3% and 11.8% they have been prejudiced by superiors and colleagues respectively, 5.3% says they feel socially isolated based on their ethnicity at work while looking at discriminatory practices among employees.

Items ten and eleven at 7.0% and 5.6% shows that ethnicity is the fourth most prevalent form of discrimination in the state when summed together at 12.6%. Hence it could be deduced from above statement that there are forms of discrimination on ethnicity in the OPS of Oyo State, but the prevalence is low as at when the study was carried out in the state. Lancee (2019) corroborates this by revealing that ethnic discrimination exists across six countries used for the study. However, there are variations in the prevalence across the six countries used by Lancee, varying from low, medium to high. Examining the

consequences of unfair treatment on employees' performance at the Federal Ministry of Information and Culture Casimir (2018) revealed that there is a relationship between been biased towards workers due to ethnicity, workers that experience bias on the job would perform unsatisfactorily as against those that do not. Likewise, Adisa, Mordi, and Timming (2023), in a survey on employment discrimination against people that have tribal marks in Nigeria, established that people with tribal marks whether jobseekers and employees face stigma along with bias in employment as a result of practices of their ethnic group, which can lead to psychological disorder and sometimes suicide.

Likewise, Budjanovcanin (2015) say that ethnic discrimination can be subtle or overt in the cause of discharging duties in employment and any form and mode which discrimination takes translates to loss of equity and decent work in employment. Looking at the above result, there seems to be a more tolerant work relationship based on tribe and ethnicity in the workplace compared to other three forms/demographic which discrimination is premised. Which may be due to the availability of a more accommodating nature of the organisational culture and behaviour regarding ethnicity in Ibadan Metropolis.

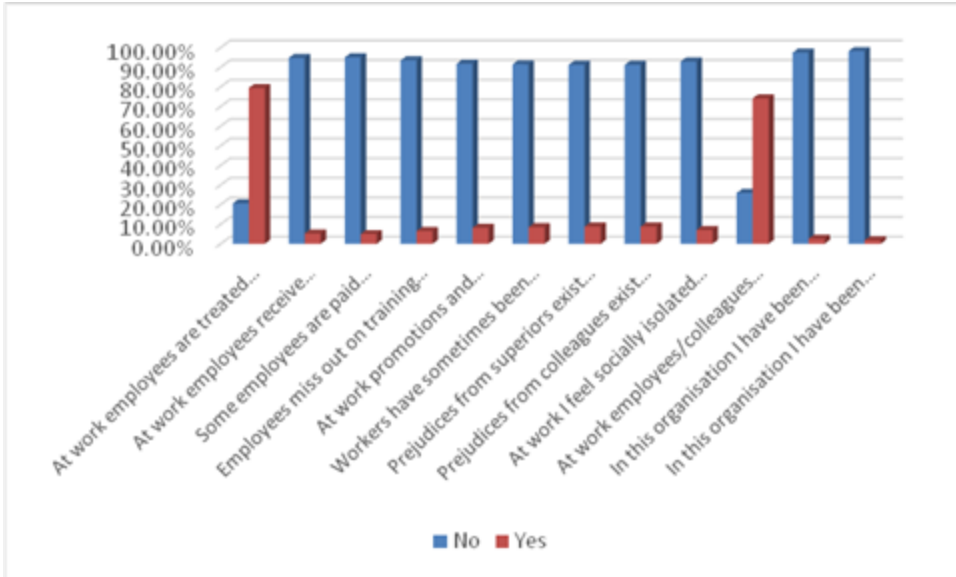


Fig 4.2.3: Form and prevalence of employment discrimination by religion

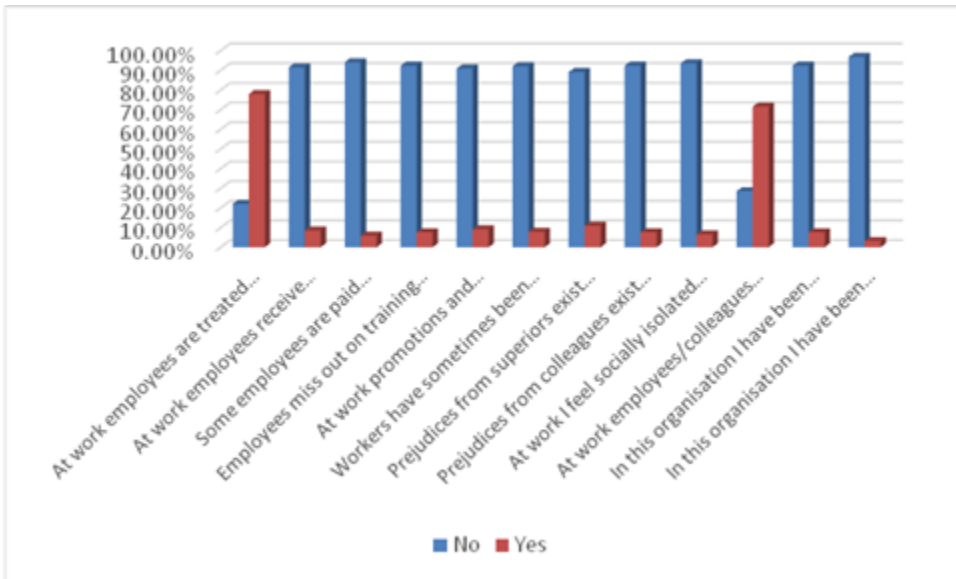


Fig. 4.2.4: Form and prevalence of employment discrimination by age

Fig 4.2.3 provided information on forms of employment discrimination existing in OPS based on religion, items one to six which is based on discriminatory organisational policies shows that 20.6% of the employees indicated that they are not treated the same by virtue of their religious affiliation by management, 2.0% receive fewer career opportunities due to policies on religion, 0.5% employees also indicated that employee are paid different salary to that of others with same qualifications, 2.0% miss out on trainings and learning, 8.2% are of the view that rewards and promotion are influenced by religion. Items six to nine revealed that 8.5% have been unfairly treated by superiors, 8.8% and 8.8% they have been prejudiced by superiors and colleagues respectively, 2.4% says they feel socially isolated based on their religion at work while looking at discriminatory practices among employees. Items ten and eleven at 8.5% and 12.4% shows that religion is third most prevalent form of discrimination in the state when summed together at 20.9%.

Therefore, it could be deduced from above statement that there are forms of discrimination on religious bases in the OPS; the prevalence is higher than that of ethnicity in the study. Confirming the presence of discrimination on religious bases in employment, Odogwu and Nnonyelu (2021) claim that the presence of diversity in religion in the work place can propel religion related discrimination that could affect performance amidst employees. Ortis-Dias (2018) while looking at discrimination in clinical practice based on religion, highlights its effect to be existence of a hostile work environment, stress and increased anxiety among staff. Padela, Adam, Ahmad, Hosseinian and Curlin (2015) buttresses the above finding, that there is the presence of discrimination in employment based on religion in their study.

Discrimination in the work place based on religion might occur because of perception of people brought from the outside world to the world of work also stakeholders attitude which also influences and can be linked to organisational culture thus determining how employees condone each other based on religious affiliate, an unchecked attitude invariably leads to religious intolerance at work. The existence of discrimination disrupts team work and might delay work progress. Thus, it is of utmost importance that religious tolerance in the workplace be advocated for in order to foster peaceful work relationships.

Fig. 4.2.4 puts forward data on forms of employment discrimination existing in the OPS based on age. Items one to six based on discriminatory organisational policies shows that 17.9% of the employees responded that they are not treated the same by management due to age, 8.5% receive fewer career opportunities due to policies on age, 0.8% employees also indicated that no employee are paid different salary to that of others with same qualifications and 7.7% miss out on trainings and learning opportunities while 9.2% says promotion and rewards are influenced by age.

Items six to nine looks into discriminatory practices among employees and the items revealed that 16.2% have been unfairly treated by superiors, 18.5% and 14.4% have been prejudiced by superiors and colleagues respectively, while zero respondents felt socially isolated based on their age at work. For items ten 29.2% says they have been discriminated against before based on age in their present organisation while 13.5% answered in the affirmative for item 11. Items ten and eleven shows that age is the most prevalent of the forms of discrimination looked at in this study with a total of 42.7%. This is in line with evidence from Holmes (2019) as well as Tomlin (2016) that discrimination on age continues to exist within the employment process especially for older workers based on training, promotion and access to employment. This may be caused by the arbitrary usage of power in recruitment, promotion and selection for trainings (due to ambiguity of laws and non-availability of laws to regulate the aforementioned in employment) and the impression that the age of individuals might not allow them to perform at optimal in certain positions, which is not always so. Adedeji (2019) organisations where age inclusion practices are missing will more likely lead to low commitment at work; this may translate to higher turnover considerations.

Discrimination based on age must not be encouraged so that individuals of working age regardless of their age can access work in order to be able to cater for themselves and dependents. Thus, for discrimination whether based on age, gender, religion and ethnicity when internal and external laws or adjudication educational and sensitisation programmes do not address issues involving workplace culture and challenge employer's interest as pointed out by Byron and Roscigno (2014) and Hirsh (2014), discrimination will persist, continue to increase and escalate to an unbearable situation in labour relations.

RQ2: What are employee's individual and collective reactions to discrimination?

Table 4.2.1: Responses on employees' reaction to discrimination

S/N	Employees' reaction	No response	No	Yes
1	I have been discriminated against by management before in formal employment in Oyo state	103 (30.3%)	145 (42.7%)	92 (27.%)

2	Accepted been discriminated against as a fact of life	268 (78.8%)	33 (9.7%)	39 (11.5%)
3	Talked to someone about it	270 79.4%	26 7.6%	44 12.9%
4	I was encouraged to report by other employees/people	274 80.6%	46 13.5%	20 5.9%
5	Went on as if nothing had happened	267 78.5%	27 7.9%	46 13.5%
6	Sought or found spiritual comfort and support	270 79.4%	35 10.3%	35 10.3%
7	Talked to someone in management who could do something concrete about the situation	268 78.8%	51 15.0%	21 6.2%
8	Reported to appropriate authority	270 79.4%	50 14.7%	20 5.9%
9a	Did not report because I was afraid of retaliation from the employer	252 (74.1%)	15(4.4%)	73 (21.5%)
b	Didn't know where to go/how to go about reporting	265(77.9%)	5(1.5%)	70(20.6%)
c	Did not know you could report to high authority	254(74.7%)	17(5%)	69(20.3%)
d	Didn't think it would solve the problem	259 (76.2)	24(7.0%)	57(16.8%)
e	Worried about potential costs of legal or other representation	285(83.8)	17 (5)	38(11.2)
f	Accepted some degree of discrimination as the norm	278(81.8)	38(11.2%)	24(7.0%)
g	Afraid that it could affect future employment prospects	308(90.5%)	17(5%)	15(4.5%)
h	The whole process would just take too long	303(89.1)	22(6.4%)	15(4.5%)
	Employees' reaction to discrimination done by colleagues/supervisors	No response	No	Yes
10.	I have been discriminated against before by a supervisor/colleague in formal employment in Oyo state	134 (39.5%)	109 (32.0%)	97 (28.5)
11.	Accepted been discriminated against as a fact of life	257 (75.6%)	43 (12.6%)	40 (11.8%)
12.	Expressed anger to the person who discriminated against me	260 (76.5%)	27 (7.9%)	53 (15.6%)
13.	Talked to Colleagues/people about it	262 (77.1%)	28 (8.2%)	50 (14.7%)
14.	I was encouraged to report	265 (77.9%)	41 (12.1%)	34 (10.0%)
15.	Went on as if nothing had happened	260 (76.5%)	43 (12.6%)	37 (10.9%)
16.	Sought or found spiritual comfort and support	259 (76.2%)	37 (10.9%)	44 (12.9%)
17.	Talked to someone in management who could do something concrete about the situation	264 (77.6%)	52 (15.3%)	24 (7.1%)
18.	Reported formally to management	264 (77.6%)	57 (16.8%)	19 (5.6%)
19a.	Did not report formally because I was afraid of retaliation from the superior officer/colleague	262 (77.0%)	15 (4.4%)	63 (18.6%)
b.	Didn't think it would solve the problem	256 (75.2%)	21 (6.1%)	63 (18.5%)
c.	Worried about potential treatment by other colleagues	250 (73.6%)	45 (13.2%)	45 (13.2%)
d.	Accepted some degree of discrimination as the norm	236 (69.4%)	46 (13.5%)	58 (17.0%)

Table 4.2.1 Items 1 to 9 depicts employee's individual and collective reactions to discrimination by management while 10 to 19 showed reactions to those made by supervisors or colleagues. Thus items 1 to 9 revealed that going on as if nothing has happened has the highest percentage at 13.5%, talked to someone about it 12.9%, accepted

been discriminated against 11.5%, sought for spiritual comfort 10.3%, talked to someone in management 6.2%, reported to appropriate authority 5.9%, and encouraged to report by colleagues/people 5.9% respectively. When further asked why they did not report on item 9, the study revealed that been afraid of retaliation is the highest at 21.5% next is 20.6% not knowing where to go or how to go about reporting and not knowing that a report can be made to a higher authority 20.3% among others.

Likewise items 10-19 showed the reactions of employees not reporting discrimination when discriminated against by colleagues/supervisors. Expressing anger to the person who discriminated against me was the highest at 15.6%, followed by talked to people about it 14.7%, 12.9% sought or found spiritually comfort, 7.1% talked to someone in management, reported formally to management 5.6% got the lowest response. When probed further on why they did not report formally, just like above not reporting because of retaliation has the highest percentage at 18.6% ,followed by 18.5% did not think it would solve the problem, accepting some degree of discrimination as the norm followed at 17.0% and worried about potential treatment by colleagues was the least at 13.2%.

The result above shows clearly when discrimination occurs from the employer, most times employees results to ignoring it and act like nothing has happened thus leading to reports not made to appropriate authorities to adequately deal with the situation. And as discovered by this study fear of retaliation is one of the major reasons for not reporting discrimination, Zheng (2020) and the Equal Employment Opportunity Commission (EEOC 2020) report on discrimination in the United States, corroborates this findings, that due to the fear of repercussions from the one discriminating, incident of discrimination are not reported often. The AHRSC (2015) report concluded that a huge number of workers chose not to report discriminations against them, reasons given for not taking corrective action(s) are they would not be believed suggesting the absence of conviction in employers supporting them, this is accentuated by the large proportion of workers that were of the view that taking action would be too strenuous or demeaning therefore, it was easier to be silent on the matter, likewise some were too intimidated and were particularly concerned that reporting to appropriate channels would affect their reputation, career and employment. While those who took action as regard bias against them did so by

complaining to colleagues, kin or friends. Thus, few took the issue up with their organisation or reported to an external body in charge of presiding over disputes for assistance. The above result portrayed that the matter is not addressed and where it was regarded to be settled, the decision includes them resigning, seeking another job, or enduring the situation. Results plainly demonstrate the need for a responsive and supportive workplace to ensure discrimination is reported and appropriately handled.

Supporting this are also IDI reports from two staff of the Ministry of Labour while responding to if discrimination is rampant or minimal in the OPS of Oyo State said:

First Interviewee Labour official:

Cases we hear of are very far in between but this may be due to the fact that report to the Ministry is low, maybe because most of the employees are not aware that they can come to report such a case to us in the Ministry, for example a case was reported to us like less than 2 months ago and a Trade Union officer in the State was the one that referred the employee to come to the Ministry to report and on getting here the man said he did not know he could report to the ministry for action to be taken.

(IDI Labour officer's response; Ibadan; 6th April, 2021)

Second interviewee Labour official:

Sometimes ago while I was in Ogun State, I realised that most employees do not know that intervening in discrimination cases or dispute in the workplace is a function of the Ministry.

(IDI Labour officer's response; Ibadan; 6th April, 2021)

The above interviews show that employees do not report what they go through owing to employment discrimination. The non-disclosure of individual experiences may be as result of the culture of silence in the society generally. Observations also show that the fear of losing their jobs or intimidation may account for the non-disclosure of the discriminations. Likewise the interview conducted with Labour officials show that they have identified a problem (which is employees not knowing that settling of dispute is a function of the Ministry) that has not been addressed and must be addressed by them. Seminars on the importance of reporting discrimination and the functions of the different stakeholders should be put in place to enlighten all involved on the importance of reporting discrimination and the various functions of different actors in labour practices so that informed decisions can be made to improve workplace practices.

Table 4.2.2: Responses on Trade unions reactions to employment discrimination

S/N	Trade unions reaction to employment discrimination	SA	A	D	SD	\bar{x}	S.D
1	Addressing discrimination is not a responsibility of the union	2 8.3%	8 33.3%	10 41.7%	4 16.7%	2.33	0.87

2	The union sensitises members on workplace discrimination	6 25.0%	10 41.7%	2 8.3%	6 25.0%	2.67	1.13
3	At least one sensitisation seminar has been organised by the union in the past 5 years on discrimination	5 20.8%	6 25.0%	4 16.7%	9 37.5%	2.29	1.19
4	Flyers and leaflets are frequently printed by the union on discrimination	2 8.3%	5 20.8%	5 20.8%	12 50.0%	1.87	1.04
5	The union has taken up case(s) of discrimination in the past	8 33.3%	6 25.0%	4 16.7%	6 25.0%	2.67	1.20
6	The union faces limitations in the protection of workers against discrimination at work	5 20.8%	13 54.2%	1 4.2%	5 20.8%	2.75	1.03
Weighted Mean =2.43							

Table 4.2.2 showed the reaction of Trade Unions to employment discrimination in the study. “The union faces limitations in the protection of workers against discrimination at work” (\bar{x} =2.75), was ranked highest by the mean score as the main reaction of Trade Unions towards discrimination followed by “The union sensitises members on workplace discrimination”(\bar{x} =2.67) which is in contrast with the opinion of the employees above,

“The union has taken up case(s) of discrimination in the past” ($\bar{x}=2.67$), “Addressing discrimination is not a responsibility of the union” ($\bar{x}=2.33$), “At least one sensitisation seminar has been organised by the union in the past 5 years on discrimination” ($\bar{x}=2.29$), and lastly “Flyers and leaflets are frequently printed by the union on discrimination” ($\bar{x}=1.87$) respectively.

As the results on table 4.2.2 points out Trade Unions seems to be sitting on the fence and inactive when it comes to discrimination. Findings of the study is reinforced by that of Borg (2012), an EU-funded study on the roles of Trade Unions in fighting discrimination at work, that submit that the unions did not have specific strategies in place to address discrimination in employment, the study is of the view that the unions need to be convinced of their role in ensuring the eradication of bias in employment. Inattentiveness of unions to discrimination may be due to the fact that discrimination cases are not reported to them, out of all the TU executives interviewed, only one mentioned ever hearing of a case of discrimination been reported in all their years of been a union executive which might be linked to the fact that, as the result showed above victims are fearful of the repercussions of reporting or are not convinced of the Trade Unions stand on discrimination based on non-prioritisation of discrimination at work as the unions do not regard it as a significant issue to be concerned with.

These results signifies that reactions to discrimination at work by both the employees and the TUs are poor and can indirectly encourage those that engage in this act to continue because they are not cautioned or brought to book for their actions. Thus, both the employees and TUs, present reaction towards discrimination cannot translate to it been curbed in the workplace. Failure to report being discriminated against and TUs lack of interest and actions on discrimination gradually contributes to the erosion of decent work in employment. Gaze (2020) is of the view that even if laws are in place to reduce and eliminate discriminatory practices in employment, the aim of this laws will be and are defeated when victims ignore this problems or tries to solve informally instead of through legal actions. In other words, Trade Unions must encourage workers to come out and report and likewise support workers to gain appropriate redress against the offender. Supporting this view on Trade Union, Carta, Vajal, Kovarona, Vandenbroucke, Quaresma and

Pavlovaite (2019) while compiling evidences on the efforts of TU on non-discriminatory practices and diversity in the workplace gathered that when TU is committed to making certain there are non-discriminatory practices in the workplace as stated by one of their objectives, changes can be seen. Thus, when Trade Unions are more sensitive to discrimination issues their actions (such as nationwide campaigns and advocacy, putting in place educative programmes through joint efforts between unions and other stakeholders such as the Ministry of Labour, employees and employers) can influence decisions, increase the visibility of discrimination issues among workers and the public leading to shift in views, policy agendas and adoption of new laws or changes to the existing ones, this pushes and encourages equity in the work place.

RQ3: What are the factors contributing to the existence of employment discrimination in the Organised Private Sector?

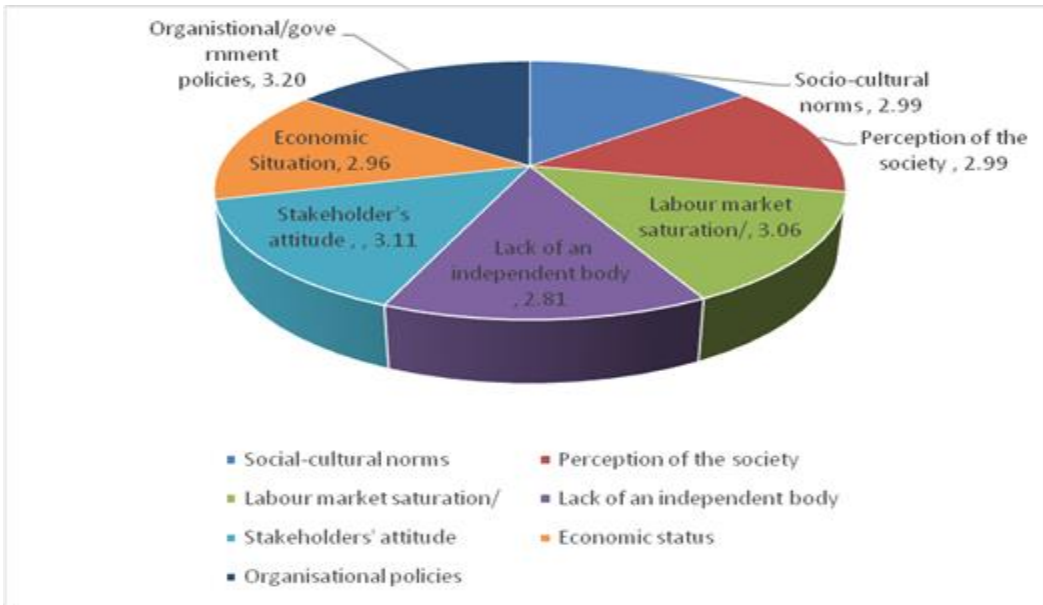


Fig. 4.2.5: Factors that leads to discrimination in employment as perceived by employees

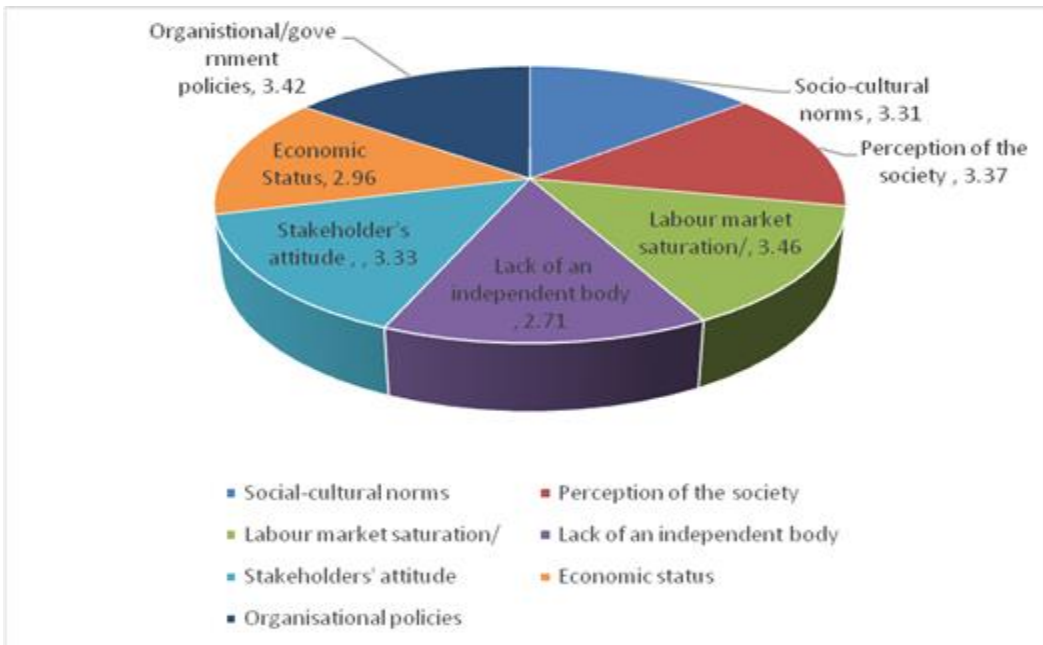


Fig 4.2.6: Factors that leads to discrimination in employment as perceived by Trade Unions

Fig. 4.2.5 showed responses from the employees on factors contributing to employment discrimination in the Organised Private Sector. “Organisational/government

policies” ($\bar{x}=3.20$) was the major factor contributing to employment discrimination in the organised private sector, and was followed “Stakeholders’ attitude($\bar{x}=3.11$),” “Labour market saturation” ($\bar{x}=3.06$) “Socio-Cultural norms” ($\bar{x}=2.99$) and “Perception of the society” ($\bar{x}=2.99$), “Economic situation of the nation” ($\bar{x}=2.96$) and lastly “Lack of independent body” ($\bar{x}=2.81$). Thus, employees believe that organisational or government policies, stakeholders attitude, labour market saturation, socio-cultural norms and perception of the society, economic situation of the nation and lack of an independent body to report discrimination to respectively encourages the existence of discrimination in employment.

Fig 4.2.6 showed responses from the Trade unions executives on factors contributing to employment discrimination in the Organised Private Sector to be that “Labour market saturation” ($\bar{x}=3.46$), was the major factor contributing to employment discrimination in the organised private sector, and was followed by organisational/government policies at ($\bar{x}=3.42$) and “Perception of the society” and ($\bar{x}=3.37$), “Stakeholders’ attitude” ($\bar{x}=3.33$), “Socio-cultural norms” ($\bar{x}=3.31$), “Economic situation of the nation” ($\bar{x}=2.96$), and “Lack of independent body” ($\bar{x}=2.71$) respectively. TU executives are of the view that labour market saturation is the main factor responsible for the persistence of discrimination followed by organisational/government policies, societal perception, stakeholder’s attitude socio-cultural norms, economic situation of the nation and lack of an independent body to report discrimination too. Hence, this study found out that major factors that sustain discrimination differ slightly based on the employees and TUs perspective, however they both agree that economic situation of the nation and lack of an independent body to report discrimination too are the least factors that encourages discrimination in employment.

While most studies did not look at this factors together at once and from the perspective of both the employees and the TUs, some of the factors have been looked into in relation to discrimination separately, Gelfand, Nishii, Raver and Schneider (2007) strengthens this findings that organisational policies can bring about discrimination by elaborating a model and illustrating means by which formal and informal system,

organisational values, leadership, plan, human resource techniques, and policies can encourage discrimination as well as show ecological conditions like the legal, commercial, and societal conditions that influence the organisation and are pertinent to the existence of discrimination in an organisation. Tsai (2011) believes that organisational culture correlates with leadership behaviour and this can determine the nature of organisational culture that prevails in an organisation, culture that can be biased, thus confirming that stakeholder's attitude can indeed foster discrimination. Babaita and Aliyu (2019) while gathering empirical evidence on socio-cultural norms on employment decisions, especially on gender discrimination from selected banks in the Northern part of Nigeria revealed that socio-cultural norm is a factor that brings about discrimination in employment thus what obtains in the society based on cultural beliefs is brought to the work place.

Chia (2018) and Abolade (2021) are also in support that socio-cultural factor is a reason for inequality at work especially gender inequality. Kartolo and Kwantes (2019) in similar vein, reports that societal perception is brought into the world of work thereby encouraging bias and segregation in employment. Carta et al (2019) whilst looking at reasons for increase in discrimination in the European Union (EU), poor economic condition and societal attitudes are some of the reasons highlighted by their study. While, Wang (2009) says a saturated employment market is a breeding ground for different kinds of employment discrimination thus affirming the trade unions view that labour market saturation is a factor that encourages discrimination in employment.

From the result and the various studies that have looked into discrimination and why it continues to exist, it can be deduced (even though there is a slight variation from the employees perspective to that of the Trade Unions) that the first five factors as determined from the findings on both fig 4.2.5 and 4.2.6 above are germane to the occurrence of discrimination at work, therefore, to curb this phenomenon these factors must be eradicated from existing in the place of work. New and improved legislation and policy, strict enforcement of legislations, sensitisation programmes, campaigns, with trainings to change societal perception and attitudes are means of reducing discrimination. Putting in place legislations to tackle discrimination at work and enlightenment on these laws (availability and content), backed by strict enforcement and educational programmes

in the long run will change societal perception which in turn, will gradually erode biased cultural and work practices at work as well as in the society.

RQ4: Is there awareness among employees about the availability of provisions for seeking redress?

Table 4.2.3: Responses of Employees on awareness of employment discrimination redress mechanisms

S/N	Employment discrimination redress mechanism scale	Don't Know	No	Yes
1	There is a workplace policy in my organisation	138 40.6%	94 27.6%	108 31.8%
2	It is written	165 48.5%	79 23.2%	96 28.2%
3	The policy has a section on discrimination at work	204 60.0%	103 30.3%	33 9.7%
4	There is a grievance settling procedure in the policy	195 57.4%	70 20.6%	75 22.1%
5	The same grievance settling procedure is used for discrimination cases	209 61.5%	80 23.5%	51 15.0%
6	The grievance settling procedure is good for discrimination cases	212 62.4%	88 25.9%	40 11.8%
7	There should be a different procedure for discrimination cases	225 66.2%	74 21.8%	41 12.1%
8	I have a copy/access to a copy of the policy at will	232 68.2%	66 19.4%	42 12.4%

Table 4.2.4: Responses of Trade Unions on awareness of Employment discrimination redress mechanisms

S/N	Employment discrimination redress mechanism	Don't know	No	Yes
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1	There are workplace policies in member organisations in Ibadan metropolis	4 16.7%	5 20.8%	15 62.5%
2.	They are mostly written	7 29.2%	8 33.3%	9 37.5%
3.	The policies have sections on discrimination at work	11 45.8%	10 41.7%	3 12.5%
4.	There are grievance settling procedures in the policies	6 25.0%	10 41.7%	8 33.3%
5.	The grievance settling procedures are used for discrimination cases	11 45.8%	8 33.3%	5 20.8%
6.	The grievance settling procedures are good for discrimination cases	16 66.7%	5 20.8%	3 12.5%
7.	There is a grievance settling procedure put in place by the union to address discrimination at work	9 37.5%	10 41.7%	5 20.8%
8.	The union has a handbook on discriminatory practices in the work place	9 37.5%	9 37.5%	6 25.0%
9.	Cases of discrimination had been reported to the union before	9 37.5%	7 29.2%	8 33.3%

Table 4.2.3 showed the awareness on availability of provisions for seeking redress among employees in the study. 31.8% employees are aware of workplace policy in their organisation, 28.2% are aware that the policy is written, 9.7% says there is a section on discrimination in the policies, 22.1% employees indicated that there are grievances settling

procedure in the policy, 15.0% say same grievance settling procedures are used for discrimination cases, 12.1% think there should be another procedure for resolving discrimination cases. Hence, the study shows that even though workplace policies are meant to guide and protect the employees and management, awareness of what various organisations policy contains is generally low among employees most especially on the availability of provisions for seeking redress.

Table 4.2.4 showed awareness about availability of provisions for seeking redress among trade unions in the study. 62.5% trade union members are aware there are workplace policies in member organisations in Ibadan metropolis, 37.5% trade unions members indicated the policies are written, 45.8% do not know if the policies have sections on discrimination at work, 41.7% says there are grievance settling procedures in the policies, 45.8% do not know if the grievance settling procedures are used for discrimination cases. 66.7% do not know if the grievance settling procedures are good for discrimination cases, 41.7% say there is no grievance settling procedures in place on discrimination by the union, 37.5% say the union does not have a handbook on discrimination while 37.5% do not know if cases of discrimination have been reported to the union.

From every indication, TU officials are aware of the availability of workplace policies in their organisations as well as the existence of provisions for seeking redress in these policies but not in relation to discrimination at work. In relation to the above findings, Hargie and Dickson (2007) while looking at if employees understand important corporate policies with focus on employee knowledge of organisation's procedures for handling grievances, acknowledge that there was low knowledge about correct procedures for seeking informal and formal grievance procedures among employees in their study, thereby, fortifying the results of this study. They are of the view that having workplace policies in place is futile if workers do not know they exist, it is therefore one thing to have a procedure in place and another to make sure that the people for whom it is intended (that is the employees and the TUs) are aware of it. OECD reported that very few Europeans were aware of their rights as victims of unfair treatment or intimidation (OECD, 2020). Moreover, evidence from World Justice Project shows that individuals that fall into vulnerable groups are least likely to pursue measures to address it, because of deficit in

their understanding and awareness of their rights even when aids are made available (OECD, 2020).

Therefore, employees must be aware likewise understand existing policies, legislation, rules or procedures to follow when they experience discrimination. Consequently, the findings on this research question from table 4.2.4 could be linked with Borg (2012) that said Trade Unions do not focus on happenings on discrimination at work. This result indicates that most employees and Trade Unions executives do not bother to familiarise themselves with the content of workplace policies even though this policies are meant to largely guide, inform and protect them and their members in workplaces. McGinnity, Watson and Kingston (2012) looking at knowledge of rights under Irish equality law among varying social groups, displayed there was low knowledge of rights regarding bias and equality. Knowledge of this polices are germane to workers and they must be made to understand that knowing the content of workplace policies is of utmost beneficial to them. When, TU executives were asked on the availability of redress mechanisms used for discrimination through an IDI interview, following responses were provided:

First TU Interviewee

In every sector of the organisation we have the handbook, which is like the organisations own bible and Quran that is the guideline for workers. This is the policy, this is where to go, what to do, how to do it, even if there is a kind of discrimination in that sector, maybe they have a boss who imposes what he is not supposed to impose on subordinates, definitely if they bring those kind of cases to us then we protect the interest of that person by writing a letter and setting up a committee to investigate the matter, between the union member and the management, they will call for a meeting, write a letter based on information that they got in the secretariat for example maybe a senior staff tries to victimise a junior staff in a way or the other, so we will bring it up , come as a moderator to bring the parties together to bring out the truth.

(IDI, TU official response; NUFBTE building, Ibadan; 15th April, 2021)

Second TU Interviewee

Discrimination does not happen in this organisation whether by management or among employees. Cases of being discriminated against have never been reported to the best of my knowledge. So, there are no different means for settling discrimination cases from the available dispute handling method since there is no precedence, and the dispute settling procedure available involves the existence of a disciplinary committee where the Human Resource Manager of the company is the head, the chairman and a union member, the secretary, including the security chief are members of the committee in case of theft, fighting, abuse of office, anything pertain to the welfare of the staff, that is where we settle it. A query is given to the accused and that person has 24 hours to answer the query, after which the panel will sit down, call the parties involved and give fair hearing to both parties and the panel does not judge only recommends and it is left for the management to decide finally.

(IDI, TU official response; Zartech, Ibadan; 19th April, 2021)

Third TU Interviewee

If someone goes astray, we have condition of service, company condition of service and the union condition of service which we use but there are no separate policies on discrimination or any other legal document that talks on discrimination in this organisation or the union.

(IDI TU Officials response; Premier Hotel, Ibadan; 5th May, 2021)

All TU executives interviewed say that if discrimination cases are or were to be addressed, the existing dispute settling procedure used for all other forms of disputes will be applied to resolve the issue. Thus, apart from the organisational policies and laid down dispute mechanism in place by the employer, there are no separate models in place to specifically tackle and resolve discrimination cases in employment. Therefore, employees low awareness on policies and process of redress mechanism available and that of the trade unions on the content of the policies that exist in their organisations maybe due to the lack of an existing process to continually educate and train these social actors on the policies and redress mechanisms in place.

RQ 5: What is the effect of employment discrimination on the employees and the organisation?

Table 4.2.5: Responses on effect of employment discrimination as perceived by employees

S/N	Effect of employment discrimination	SA	A	D	SD	\bar{x}	S.D
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1	Employment discrimination leads to stress on the job	41 12.1%	269 79.1%	14 4.1%	16 4.7%	2.99	0.592
2	Employment discrimination increases absenteeism on the job	40 11.8%	263 77.4%	19 5.6%	18 5.3%	2.96	0.620
3	Employment discrimination denies access to social groups within the organisation	40 11.8%	217 63.8%	53 15.6 %	30 8.8%	2.79	0.763
4	Employment discrimination denies access to social groups outside the organisation	48 14.1%	200 58.8%	47 13.8 %	45 13.2 %	2.74	0.862
5	Employment discrimination affects employee's wellbeing	52 15.3%	245 72.1%	19 5.6%	24 7.1%	2.96	0.700
6	Employment discrimination affects employees job performance	51 15.0%	254 74.7%	16 4.7%	19 5.6%	2.99	0.649
7	Employment discrimination reduces job commitment	42 12.4%	249 73.2%	25 7.4%	24 7.1%	2.91	0.687
8	Employment discrimination affects the public image of the organisation negatively	35 10.3%	210 61.8%	46 13.5 %	49 14.4 %	2.68	0.845
9	Employment discrimination affects the profit margin of the organisation	44 12.9%	185 54.4%	51 15.0 %	60 17.6 %	2.63	0.921
Weighted Mean =2.85							

Table 4.2.5 outlined the effect of employment discrimination on the employees and the organisation from the employees' perspective. "Employment discrimination leads to stress on the job" ($\bar{x}=2.99$) and "Employment discrimination affects employees job performance" ($\bar{x}=2.99$) were the main effects of employment discrimination with the same mean score, followed in succession by, "Employment discrimination increases absenteeism on the job" ($\bar{x}=2.96$), "Employment discrimination affects employee's

wellbeing” ($\bar{x}=2.96$), “Employment discrimination reduces job commitment” ($\bar{x}=2.91$), “Employment discrimination denies access to social groups within the organisation” ($\bar{x}=2.79$), “Employment discrimination denies access to social groups outside the organisation” ($\bar{x}=2.74$), “Employment discrimination affects the public image of the organisation negatively” ($\bar{x}=2.68$), and lastly by “Employment discrimination affects the profit margin of the organisation” ($\bar{x}=2.63$) respectively.

The effect of employment discrimination on the employees and the organisation as perceived by employees include stress on the job and reduction in employees’ job performance, increase in absenteeism on the job, decline in employee’s wellbeing, and reduction in job commitment respectively. Reinforcing the results above, Dilrukshi and Ranasinghe (2021) identify discrimination as a major cause of stress which ultimately leads to job performance deficit. Moya and Moya-Garofano (2020); Osah, Ukoba and Alagah (2017); Odogwu and Nnonyelu (2021) and Ogundare, Ughovero and Bereprebofa (2023) in their studies also revealed that discrimination in employment leads to increased stress, decrease in job performance among employees respectively which is in line with what the present study revealed. Goldman, Gutek, Stein and Lewis (2006) say once discrimination exists in an organisation so does individual, group and organisational consequences. Consequences such as psychological distress, decreased job performance, low morale, absenteeism which Goldman et al (2006) says can lead to monetary loss caused by inefficient use of the victimised person or group. Adebisi, (2022) concludes that organisations that engage in bias during recruitment will not enjoy timely and spontaneous growth. So also, reduction in sales can occur due to bad public image of an organisation due to it been perceived as discriminatory, based on its employment decisions.

Lastly, Ikiseh (2021) says been absent often, turnover intentions, and reduced productivity are consequences of bias in the work process. As a result of the above findings, it is clear that discrimination is a phenomenon that decreases the performance of the most important element in an organisation, man. It invariably has both direct and indirect consequences on the input and output of the organisation in which discrimination occurs. Negative consequences occur as a result of bias at work as unfair treatment reduces employees moral thereby affecting their output, they become more prone to mistakes and

mishap, become uneasy and frustrated because of fear of the perpetrator and what might happen next, thereby, been inattentive at work and all this negatively affects their health and companies output, in the long run. Constantly, organising sensitisation programmes over time will enlighten people/workers on the effect of discrimination which will lead to curbing of discrimination at work.

RQ 6: What are the roles and actions of the Trade union in eliminating employment discrimination?

Table 4.2.6: Responses of Employees on Trade union roles in eliminating Employment Discrimination

S/N	Role of trade union to employment discrimination	SA	A	D	SD	\bar{x}	S.D
1	The sector/industry I work in has Trade union(s)	70 20.6%	167 49.1%	76 22.4%	27 7.9%	2.82	0.847
2	Addressing discrimination is not a responsibility of the union	21 6.2%	86 25.3%	183 53.8%	50 14.7%	2.23	0.772

3	Trade unions work towards eradicating discrimination at work by creating awareness through various means	13 3.8%	76 22.4%	175 51.5%	76 22.4%	2.08	0.772
4	Trade unions sensitise workers on employment discrimination	8 2.4%	64 18.8%	181 53.2%	87 25.6%	1.98	0.734
5	At least one sensitisation seminar has been organised by the Union in the past 5 years on discrimination	11 3.2%	55 16.2%	201 59.1%	73 21.5%	2.01	0.712
6	The union has taken up case(s) of discrimination in the past	13 3.8%	56 16.5%	192 56.5%	79 23.2%	2.01	0.743
7	The union protect workers against discrimination in the workplace	16 4.7%	66 19.4%	187 55.0%	71 20.9%	2.08	0.766
8	Trade union is an authority to report discrimination to	-	63 18.5%	187 55.0%	90 26.5%	1.92	0.667
Weighted Mean =2.14							

Table 4.2.6 above, while determining if employees know if addressing discrimination was a function of the TU, 53.8%, which is a large percentage disagreed to it, 51.5% also disagreed to TU working towards eliminating discrimination at work, 53.2% disagreed to TU sensitising workers on discriminatory practices in the work place, 59.1% disagreed to a seminar ever been conducted in the last 5 years on discrimination for employees in their organisations by the union, 56.5% disagreed to the union taking up cases of discrimination in the past, 55.0% disagreed to unions protecting workers against discrimination in the workplace, lastly 55.0% do not seem to know that cases of discrimination can be reported to the TU. Thus, items 2 and 8 shows that employees do not understand the roles of the unions when it comes to discrimination, items 3, 4, 5 from the

employees perspective shows that TU also do not carry out their responsibilities when it comes to reducing discrimination at work.

Hence, employees are of the view that Trade Unions do not carry out their responsibility when it comes to eradicating discrimination in employment. In line with the assertion above is Borg (2012), where the study identifies that trade unions do not focus on happenings on discrimination at work. Although based on Trade union's general responsibilities, the study by Moeti-Iysson (2011) emphasises that trade unions do not serve their members according to all their expectations. When, TU executives were asked what is the effort of TU on eradicating discrimination and encouraging the report of discrimination by employees were through an IDI interview, following responses were given:

First TU Interviewee

Efforts in place is to make sure that whenever such issue arise or is brought to our notice we rise up to the occasion to investigate and take appropriate steps to find out the truth and make sure that appropriate sanction is given to the perpetrator.

(IDI, TU official response; NUFBTE building, Ibadan; 15th April, 2021)

Second TU Interviewee

Our union is yet to take up a case of discrimination because as I mentioned earlier no such case has been reported so no awareness programme has been conducted either on discrimination.

(IDI TU official response; Zartech, Ibadan; 19th April, 2021)

Third TU Interviewee

The union is ready to protect workers from any form of bias in any way possible.

(IDI TU Officials response; Premier Hotel, Ibadan; 5th May, 2021)

All interviewed TU executives say that since cases of discrimination have not been reported they have no strategies in place to create awareness on discrimination at work. Efforts such as creating awareness through campaigns, posters and mass sensitisation have not yet been made. Thus, they seem to be passive when it comes to discrimination at work because there are no reports, this suggests that they do not recognise discrimination as a problem that can create unrest in labour relations. These efforts should be put in place whether discrimination cases are made.

RQ7: Are labour statutes available and functional in curbing employment discrimination?

Table 4.2.7: Responses on Labour statutes availability and functionality in curbing employment discrimination (Employees perspective)

S/N	Labour statues and employment discrimination	Don't know	No	Yes
1	There are national statutes on forms of discrimination in employment in Nigeria	197 57.9%	87 25.6%	56 16.5%
2	There are state statutes on forms of discrimination in employment	232 68.3%	76 22.3%	32 9.4%

3	There is an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination	196 57.6%	113 33.2%	31 9.2%
4	There should be national statute(s) on all forms of discrimination in employment	215 63.2%	14 4.2%	111 32.6%
5	The statutes on each form of discrimination should be separate	186 54.7%	55 16.2%	99 29.1%
6	There should be an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination	168 49.4%	86 25.3%	86 25.3%

Table 4.2.8: Responses on Labour statues availability and functionality in curbing employment discrimination (Trade union perspective)

S/N	Items	Don't know	No	Yes
1	There are national statutes on forms of discrimination in employment in Nigeria	10 41.7%	10 41.7%	4 16.5%
2	There are state statutes on forms of discrimination in employment	11 45.8%	6 25%	7 29.2%
3	There is an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination	8 33.3%	13 54.1%	3 2.6%

4	There should be national statute(s) on all forms of discrimination in employment	25 52.0%	2 8.4%	22 91.6%
5	The statutes on each form of discrimination should be separate	-	16 66.6%	8 33.4%
6	There should be an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination	-	13 54.2%	11 45.8%

Table 4.2.9: Responses on Labour statutes availability and functionality in curbing employment discrimination (Ministry of Labour’s perspective)

S/N	Items	Don’t know	No	Yes
1	There are national statutes on forms of discrimination in employment in Nigeria	25 52.0%	14 29.2%	9 18.8%
2	There are state statutes on forms of discrimination in employment	27 56.3%	11 22.9%	10 20.8%

3	There is an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination	16 33.3%	29 60.4%	3 6.3%
4	There should be national statute(s) on all forms of discrimination in employment	6 12.6%	17 35.4%	25 52.0%
5	The statutes on each discrimination should be separate	8 16.6%	29 60.5%	11 22.9%
6	There should be an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination	8 16.6%	21 43.8%	19 39.6%

Table 4.2.7 highlighted responses of employees on labour statutes availability and functionality in curbing employment discrimination. 57.9% do not know if there are national statutes on all forms of discrimination in employment, 232(68.3%) do not know if there are state statutes on all forms of discrimination in employment, 57.6% of employees say they do not know if there is an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination. Majority of the employees 32.6% agreed that there should be a national statute(s) on all forms of discrimination in employment. Also, 29.1% agreed on separation of each of the discrimination statutes. 25.3% agreed on autonomous body to govern the implementation

of the statutes. With the above report majority of the employees do not know so much about the availability of statutes on curbing discrimination in employment.

Table 4.2.8 showed the knowledge of the TU officials on availability of labour statutes in curbing employment discrimination in employment. 47.7% do not know of the existence of national statutes on forms of discrimination in employment in Nigeria, there are state statutes on forms of discrimination in employment 45.8% do not know, 33.3% also do not know if an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination existed, 91.6% agreed that national statute(s) on all forms of discrimination should be in place, 33.4% says the statutes on each discrimination should be separate, 45.8% says there should be an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination. It is obvious from the results that most TU officials are not aware of the availability of discrimination laws in Nigeria.

Table 4.2.9 showed the knowledge of the officials of Ministry of labour on availability of labour statutes in curbing employment discrimination. 52.0% responded do not know to the existence of availability of national statutes on forms of discrimination in employment in Nigeria, 56.3% do not know if there are state statutes on forms of discrimination in employment, 60.4% responded no to there is autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination existed, 52.0% were of the view that there should be national statute(s) on forms of discrimination in employment, 60.5% says the statutes on each discrimination should not be separate, 43.8% says there should not be an autonomous body to govern the implementation of the statute(s) and keep up to date data on occurrence of discrimination. Form the analysis above it could be deduced that even labour officials are not aware about the availability or unavailability of labour laws solely meant to tackle discrimination at work. Majority of the respondents that is employees, trade union executives and staff of the Ministry of Labour responded that there are statutes available to tackle discrimination in employment even though such statutes that are solely for discrimination in all its facets and forms are not in existence in Nigeria.

Confirming this assertion is Wrench (2015), who illustrated in his study while looking at awareness of anti-discrimination laws in the European Union that some Trade Unions in some member countries do not know much on anti-discrimination laws in their countries. CEsifo DICE (2008) survey, on public awareness on anti-discrimination laws in OECD countries, also came to the same conclusion that most people do not know that these laws exist in countries where they exist, which affects implementation of such laws. Individual awareness of rights is important because individual cases are central to enforcing legislations, people must know the laws banning bias and their right as victims OECD (2008a), however, most time they do not know (McGinnity et al 2021). Thus, where such laws are in place, these laws must be made public through the media and other available channels so that the citizenry/employees and the government officials know of its existence because the implementation of such laws are based on the action or in action of the victims who have been discriminated against and sometimes this is based on their knowledge of existing laws. However, the KII below done with three labour law practitioners in the state gave us insight to the existence of statutes and anti-discrimination laws in the nation showing that there are no comprehensive laws in place on the four forms of discrimination looked at to explaining what they are, how and when they can occur and how to avoid them and what to do when they do happen.

First interviewee

As far as I know the law that regulates labour matters and which of course discrimination and all of that area are a part of are the labour act, the constitution and of course the United Nations convention, ILO and other related international statutes as well as international best practices.

(KII, Labour law practitioner response; telephone interview, 18th July, 2021)

Second interviewee

This area is still new in our society and there are only international law, that is, the ILO convention that guides all countries all over the world on such matters, as for Nigeria there is none especially on age, ethnicity, gender and religion, there is no specific law on each forms of discrimination as you have listed as regards employment in Nigeria.

(KII, Labour law practitioner response; NIC, court road Adeoyo, Ibadan; 7th July, 2021)

Third interviewee

There are no such laws that address these forms of discrimination age, gender, ethnicity and religion, as regards employment specifically but the supreme law of the land (constitution) is against discrimination, Section 15 and 17 of the Nigeria constitution as amended is anti-discriminatory and touches on the above forms. Although, there is an act that address discrimination in an in-depth manner as regards people living with disabilities it covers employment and other form of discrimination against people living with disabilities. This act is known as Discrimination against Persons living with Disabilities {Prohibition} Act 2018. There is also HIV/AIDS anti-discrimination Act, 2014, prohibiting employer from requesting for HIV test for precondition or requirement consideration for employment or access to services. However, to be free of discrimination is a basic right and anybody who feels he/she is being discriminated against can seek redress and enforcement of his/her rights or even claims damages.

(KII, Labour law practitioner response; WhatsApp; 11th November, 2021)

Discrimination against Persons living with Disabilities Act of 2018, HIV/AIDS Anti-discrimination Act, 2014 and the Nigerian Constitution as amended are the only laws in existence in Nigeria on discrimination even though the constitution only addressed discrimination on the four forms researched on by this study, generally. Other laws in existence in Nigeria, labour law act 2004, the trade union amended act 2005, employees compensation act 2010, factories act 2004 have no section or parts pertaining to discrimination on age, gender, ethnicity and religion. The reality of the shortcomings in legislation and enforcement of legislations, lack of awareness, weakening of roles of principal actors, reduced attention on the issue by policy makers, societal attitudes are some of the reasons Carta et. al. (2019) identifies for why discrimination exists and increases in their study.

Hitherto, there are no comprehensive laws on the four forms of discrimination looked at by this study and these are forms that have been in existence since the wage

system. Non-existence of legislations on the above forms in Nigeria is in contrast with most countries in the world where there are numerous laws to protect and tackle discrimination in employment. Nations such as America, Australia, United Kingdom along with South Africa to mention a few have various laws to cater for most, if not all forms of discrimination. These laws give concise meanings and definition to discrimination, those to be protected, how to protect them, forms and variants of discrimination that exist in the employment process, enforcement of provisions against discrimination, bodies to enforce and collect data on discrimination, provision for recovery of compensation and punitive damages in cases of violation of rights among other provisions to give meaningful work experience to workers. The anti-discrimination acts bars discrimination in recruiting, work conditions, trainings, harassment and other domains related to employment.

Moving forward, even though there are limited laws on discrimination in Nigeria as established by the findings, stakeholders in the employment process/people, do not have knowledge about the availability or unavailability of such laws in the country. Workers knowledge or otherwise, as well as, their understanding and interpretation of rights is based to a large extent on reporting discrimination against them just as confirmed by this study while looking at reactions of employees towards discrimination, that not knowing they can report discrimination by an employer is a major reaction, connectedly, reporting is also largely based on their knowledge of the existence of laws for seeking redress. McGinnity et. al., (2021) while reviewing the labour market in Ireland on measures to combat discrimination declared that anti-discrimination legislation is efficacious in conveying proper codes of conduct and orientation to the public, nonetheless such legislation is not self-enforcing. According to them, in deterring discrimination, complex legal systems that paves way for prolonged proceedings, not knowing about rights, fear of revenge and not supporting victims are reasons a fraction of lawsuits are brought up to prosecute perpetrators of discrimination at work. If little to no cases are reported and sanctioned, the deterrent effect is minimised and non-existent.

Laws on discrimination are the foremost defence against discrimination. The process of prohibiting discrimination sends a clear message that can reshape or mould societal behaviour and perspective (Valfort, 2018). Likewise, availability of an extensive

regulation can drive the implementation of antidiscrimination policies at all levels (Dobbin & Kalev, 2013; Fibbi, Midtbøen, & Simon 2021). Therefore, when employees do not have proper knowledge and understanding of the existence of laws to tackle bias at work then discrimination cannot be properly addressed. So also, when Trade Unions and Labour Officials are lacking in knowledge on laws pertaining to discrimination they cannot perform their duties efficiently and effectively to protect workers. The knowledge of legal rights can help to shape workers sense of unfairness at work, Nguyen (2021). That been said, short comings in legislation and enforcement of available legislative measures increases bias at work. Thus, comprehensive laws on discrimination must be enacted on the forms of discrimination looked at by this study just as it was done for discrimination for persons living with disabilities and HIV and AIDS. Also, there must be periodical trainings and sensitisation events on laws that exist to enforce workers right in the country for all stakeholders.

RQ 8: What is the role and functionality of the inspectorate department of the Ministry of Labour in curbing employment discrimination?

Table 4.2.10: Responses on the roles of the Ministry of Labour in curbing employment discrimination (Employees perspective)

S/N	Ministry of labour and employment discrimination	No response	No	Yes
1.	One of the function of the Ministry is to eliminate discrimination at work	137 40.3%	157 46.2%	46 13.5%
2.	Ministry visits our organisation to sensitise on discrimination	119 35.0%	173 50.9%	48 14.1%

3.	The Ministry has intervened in cases of discrimination	139 40.9%	154 45.3%	47 13.8%
4.	The Ministry has conducted seminars on discrimination for employees in the last 5 years	138 40.6%	161 47.4%	41 12.1%
5.	Cases of discrimination can be reported to the Ministry of Labour	94 27.6%	187 55.0%	59 17.4%

Table 4.2.11: Responses on the roles of the Ministry of Labour in curbing employment discrimination (Trade Unions perspective)

S/N	Ministry of labour and employment discrimination	No	Yes
1	Ministry liaises with our union to sensitise us on discrimination in employment	17 70.8%	7 29.2%
2	Ministry liaises with our union to sensitise on other work related matters	19 79.2%	5 20.8%
3	The Ministry liaises with unions in ensuring the protection of workers against discrimination	17 70.8%	7 29.2%

4	The Ministry has invited this trade union to seminars on discrimination at work before	18 75.0%	6 25.0%
5	The Ministry has conducted seminars on discrimination for union members/officials in the last 5 years	19 79.2%	5 20.8%
6	The Ministry has conducted seminars on discrimination for employees in the last 5 years	20 83.3%	4 16.7%

Table 4.2.12: Responses on the roles of the Ministry of Labour in curbing employment discrimination (Ministry of Labour's perspective)

S/N	Ministry of Labour and employment discrimination	SA	A	D	SD	\bar{x}	S.D
1	It is the responsibility of the Ministry to intervene in cases of discrimination	24 50.0%	19 39.6%	-	5 10.4%	3.29	0.922

2	The Ministry has intervened in cases of discrimination in private organisations in Ibadan Metropolis	10 20.8%	-	21 43.8%	17 35.4%	2.94	1.099
3	The Ministry has intervened in discrimination cases in private organisations in the last 5 years	-	25 52.1%	1 2.1%	22 45.8%	2.75	1.062
4	The Ministry liaises with unions in ensuring the protection of workers against discrimination	11 22.9%	23 47.9%	3 6.3%	11 22.9%	2.71	1.071
5	The Ministry conducts seminars on discrimination for employees	5 10.4%	17 35.4%	10 20.8%	16 33.3%	2.23	1.036
6	The Ministry conducts seminars on discrimination for trade union officials	5 10.4%	16 33.3%	10 20.8%	17 35.4%	2.19	1.045
7	It is a responsibility of the Ministry to sensitise employees and trade unions on discrimination issues	17 35.4%	14 29.2%	5 10.4%	12 25.0%	2.75	1.194
8	At least one seminar/workshop/conference has been conducted on discrimination in the workplace in last 5 years for employees	7 14.6%	8 16.7%	10 20.8%	23 47.9%	1.98	1.120
9	At least one seminar/workshop/conference has been conducted on discrimination in the workplace in last 5 years for Trade unions	2 4.2%	8 16.7%	12 25.0%	26 54.2%	1.71	0.898
Weighted Mean = 2.51							

Table 4.2.10 revealed the role and functionality of the inspectorate department of the Ministry of Labour in curbing employment discrimination as perceived by the employee's. The result of the items goes thus, 13.5% says function of the Ministry is to eliminate discrimination, the Ministry has sensitised employees' on discrimination 14.1%, Ministry has intervened in cases of discrimination (13.8%) says yes, seminars has been conducted by the Ministry for employees on discrimination 12.1% answered in the affirmative while 17.4% says the Ministry is a body to report discrimination too. This

finding shows that employees do not know about the role of the Ministry vis a vis discrimination.

Table 4.2.11 showed the role and functionality of the Ministry of Labour in curbing employment discrimination (Trade union perspective). 70.8% responded no to Ministry liaises with our union to sensitise us on discrimination in employment, 78.8% responded no Ministry liaising with unions to protect workers against discrimination, 75.0 responded in the negative to Ministry have invited this union to seminars on discrimination at work, 79.2% responded no to the Ministry has conducted seminars on discrimination for union members/officials in the last 5 years, 83.3% responded no to the Ministry has conducted seminars on discrimination for employees in the last 5 years. This shows that the Ministry of labour does not do much on the eradication of discrimination in employment.

Table 4.2.12 showed the role and functionality of the department of inspectorate, Ministry of Labour in curbing employment discrimination (Ministry of labour perspective). “It is the responsibility of the Ministry to intervene in cases of discrimination” with (\bar{x} =3.29) was ranked highest by the mean score as the role and the function of the ministry , followed in succession by “The Ministry has intervened in cases of discrimination in private organisations in Ibadan Metropolis” (\bar{x} =2.94), “The Ministry has intervened in discrimination cases in private organisations in the last 5 years” (\bar{x} =2.75), “It is a responsibility of the Ministry to sensitise employees and trade unions on discrimination issues” (\bar{x} =2.75), “The Ministry liaises with unions in ensuring the protection of workers against discrimination” (\bar{x} =2.71), “The Ministry conducts seminars on discrimination for employees” (\bar{x} =2.23), “The Ministry conducts seminars on discrimination for trade union officials” (\bar{x} =2.19), “At least one seminar/workshop/conference has been conducted on discrimination in the workplace in last 5 years for employees” (\bar{x} =1.98), and lastly “At least one seminar/workshop/conference has been conducted on discrimination in the workplace in last 5 years for Trade unions” (\bar{x} =1.71) respectively. This shows that although the Ministry is aware of its responsibilities when it comes to elimination and reduction of discrimination in the work place it has not done much to give awareness and ensure non-occurrence of discrimination at work. This may be due to the fact that as the

interviewee of one of the IDI sessions said below, funds are not available to conduct seminars and trainings of any kind by the offices of the Ministry situated in different states. Ajakaye (2011) while, looking at labour inspection variables as correlates of decent work found out that labour inspection practices, labour law enforcement/ interpretation are the first and second predicting variables, predicting the existence of decent work practice among others. Showing, that all things been equal, if the Ministry can carry out all its responsibilities, it can mitigate overt violations of workers' rights, especially those relating to discrimination.

Agreeing to the findings on table 4.2.10 is the IDI report from a field personnel of the Ministry of Labour while responding to if they have frequent interface with employees of various organisations in Ibadan metropolis and sensitise them on the duties of the Ministry towards employees:

First Interviewee Ministry of Labour

Well in all my years as a staff of this Ministry, I cannot recall any of such awareness done for the purpose of enlightening the employees whether in the private or public sector on the functions, responsibilities or duties of the Ministry. I believe or should I say assume almost everyone knows the function of the Ministry of Labour. Your question however has triggered questioning such assumptions, so it is a welcome idea, to once in a while organise meetings to remind and make known to both employee and employers on the functions of the Ministry in regulating and maintaining balance in the work environment.

(IDI, Labour Officials response; Agodi, Ibadan; 6th April, 2021)

Supporting the findings for table 4.2.12 one of the IDI done with the staff of the Ministry of labour revealed that:

Second Interviewee Ministry of Labour

We have not conducted seminars based on discrimination for employees or TU officials partly because we hardly get reports of discrimination cases from employees in Oyo State and also due to funding. Even though eliminating of all forms of bias is a responsibility of the Ministry, there are no funding set aside to bring about such seminars to fruition.

(IDI, Labour Officials response; Agodi, Ibadan; 6th April, 2021)

The above interviews, gave reasons for the empirical evidence which reveals that having access to limited funds to carry out outreaches on discrimination issues across various organisations in Ibadan metropolis can be linked to the outcome of this research question. Similarly, this may also be as a result of the Ministry relegating its duties to curb discrimination in the employment process within the private sector, that is, not prioritising such duties, on account of them harbouring views that discrimination is not a major issue to be concerned about. To reduce discrimination to its barest minimum in employment and gain employment equity, the Ministry must be proactive on issues of discrimination in order to create an environment where all persons of working age regardless of their demographic stands a chance to gain meaningful employment to ensure decent adequate standard of living for self and dependents. To ensure the Ministry's proactive behaviour, trainings and short courses must be arranged for them to remind and equip them of the need to curb bias in the employment process.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

The survey took a board look at dimensions of discrimination in employment in order to better understand it. Thus, providing an insight on how best to tackle this phenomenon at work in order to reduce its occurrence in the Organised Private Sector

(OPS) of Oyo State, henceforth. The study is sectioned into five chapters with various headings and sub-headings to keep the study organised, outlined for better comprehension and ease of locating specific information.

At the beginning of the study, the introduction to the concept of discrimination in employment was thoroughly discussed, the gap bridged by the study which is centred on the statement of the study accentuated the void to be filled, the objective, scope, rationale for carrying out the study and clarification of terms were also stated. A well thought out examination was done on the dependent and independent variables for the study. Also, an extensive appraisal and analyses of relevant literature to support or otherwise, the existence of discrimination in employment, the effects, its variants, elements contributing to it, instruments/modes in place by stakeholders to prevent its occurrence as well as the creation of a conceptual framework mapping out relationships of variables for the study based on the theory used in explaining the study was done.

The research methodology utilised was the descriptive research design, determination of the population and sample size was done using a multi stage sampling technique comprising of disproportionate sampling as well as simple random sampling techniques. Both quantitative and qualitative data collection methods were employed, the validity and reliability of the instruments (questionnaires) were determined, and ethical approval was obtained before conducting the study. Analyses and discussion of results gathered from the field through the quantitative and qualitative instruments were done bringing about the summary and conclusion that were premised on the findings generated, while suggestion for further studies were made to enrich this area of research. The study established the following major findings:

- i. Employment discrimination exists in the OPS of Oyo State
- ii. Organisational policies, labour market saturation, socio-cultural norms among others are factors that sustain discrimination
- iii. Reactions to discrimination by the employees was majorly to ignore and not seek any form of redress, which encourages its perpetuation
- iv. Awareness of the availability of redress mechanism is low among employees

- v. On effect of discrimination ,majority are of the opinion that it affects job performance, job commitment, increases absenteeism and stress more than it does organisational image, profit margin and access to social groups
- vi. The role or contributions as well as actions of trade unions towards eradicating discrimination are limited
- vii. There are no labour statutes/anti- discrimination law in existence on the four forms of discrimination looked at by the study
- viii. The role of the Ministry in reducing discrimination at work is also almost non-existence

5.2 Conclusion

Substantiating the existence of various dimensions of employment discrimination in the OPS of Oyo State, Nigeria, this study revealed that been discriminated against based on age, gender, religion and ethnicity, in this order, persist. With the help of the mixed method of research employed for the study, it is evident that reactions such as not reporting formally, ignoring and enduring this infringement on basic work right due to fear of retaliation and not knowing whom to report to in some cases, lack of awareness on the provisions of seeking redress, deficits of acts that protects against unfair treatment, along with the in-action of trade unions and the Ministry of Labour which can be because reports are seldom made on discrimination to them encourage its continuity in the world of work. Transferring, perceptions/notions about groups of people in the society to the place of work and socio cultural norms among others also sustain discrimination at work. Finally, perpetrating of discriminatory practices brings about decrease in job performance, stress, and increase in absenteeism while also having a huge effect on employees' wellbeing as determined by the research. Putting up equity oriented action by all involved in the employment process (by creating policies that particularly dwell on discrimination and its dimensions, knowledge sharing, sensitisation and awareness on the various means by which discrimination is sustained in employment) to mitigate discrimination at work is imperative to make available and ensure access to employment equity and decent work.

5.3 Limitations to the study

Constraints were encountered when the study was conducted, constraints like outright refusal of some employees and some trade unions to respond to the questionnaire, small sample size due to low response rate from sample population and the on-going COVID-19 pandemic (the pandemic was a significant constraint as it limited people's interaction and close contact) as well as revisiting several times for retrieval of questionnaires. Likewise, time constraint was also a limitation, as the data collection had to end in order for the research to be concluded within the allotted time.

5.4 Recommendations

Based upon results generated from the previous chapter the following suggestions are put forward to inhibit the occurrence of discrimination in Private Organisations in Oyo State, Nigeria.

- i. There should be anti-discrimination laws(s) on all forms of discrimination that exists in Nigeria, this law(s) should have sections that prohibit discrimination in hiring, conditions of work , training , harassment and other issues relating to employment by spelling out meaning and definition of discrimination, those to be protected, how to protect them, forms and variants of discrimination that exist in the employment process, enforcement of provisions against discrimination, bodies to enforce and collect data on discrimination, provision for recovery of compensation and punitive damages in cases of violation of rights among other provisions to give meaningful work experience to workers.
- ii. The Trade Unions and the Ministry should collaborate to conduct and co-finance a study, to effectively determine the depth at which discrimination occurs at all the stages of employment as well as how deep rooted are the forms in the OPS in order to make appropriate input towards putting in place the discrimination laws.
- iii. The Ministry and the trade unions should collaborate to make jingles, adverts, posters and flyers on forms of discrimination that exist in subtle or major ways, what to do and whom to go to when a worker faces such discriminations, to create

awareness on the negative effect of discriminatory practices on all involved as well as the effect of retaliation to encourage a change in behaviour.

- iv. There should be constant interactive educational programmes and short courses for and with stakeholders to educate them on their roles and duties towards each other as well as existing statutes to protect, guide and enhance workplace experience.
- v. Trainings on eradication of factors identified to sustain discrimination should be done regularly by the Ministry of Labour, Unions and the employer for themselves and the employees.
- vi. Trade unions and frontline managers should conduct meetings/forums to educate employees on policies that are germane to employee's work ethics, conditions of service and protection at work at periods decided by them, frequently.
- vii. A checklist on stress level, job commitment, job performance, absenteeism among others should be made available to evaluate and monitor employees on the occurrence/existence of discrimination. Likewise, organisations themselves should evaluate themselves on public image, maximisation of profit and effective use of manpower internally so has to determine that they are not affected by discrimination in anyway.
- viii. All major laws guiding and guarding employment practices in Nigeria are out-dated there is the need to review to accommodate changes and happenings in the word of work. The present Labour law act has no section on discrimination and discriminatory practices in employment this should be included.
- ix. Organisation policy on zero tolerance to workplace discrimination and other information on discrimination should be embedded in workplace policy or employee handbook.

5.5 Contributions to knowledge

- i. This study revealed that out of the four forms (age, gender, religion and ethnicity) of discrimination examined, age and gender are the most prevalent.
- ii. There are limited legal instruments that guides and guards against the four forms of discrimination in the work place, in Nigeria.

- iii. Stakeholders (Employees, Trade Unions and Ministry of Labour Officials) are not proactive when it comes to making sure that discrimination does not occur in the Organised Private Sector.

5.6 Suggestions for further studies

Arising from the evaluation of this study is the need for extensive research in this field. Therefore, to broaden research and enrich workplace and space, some areas are suggested below to improve conditions of work and eradicate discrimination at work, hence future research can:

- Critically look into how existing legal knowledge affects reporting of discrimination.
- Probe whether the existing work place dispute handling procedures in workplaces suffices for discrimination cases.
- Determine if workplace discrimination can affect trade unionism
- Study retaliation in the workplace by stakeholders against those that report cases of discrimination as well as those that gave evidences.
- Explore discriminatory practices within the Trade Union.
- Research, workers perception of legal aid and complaints medium offered by the Union on discrimination.

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APPENDIX 1
DEPARTMENT OF ADULT EDUCATION
FACULTY OF EDUCATION
UNIVERSITY OF IBADAN, IBADAN
EMPLOYEES EMPLOYMENT DISTRIBUTION QUESTIONNAIRE

Dear Sir/Madam,

The research is strictly for academic usage; hence information provided is confidential. It would be highly appreciated if you could take a few minutes of your time to answer the following questions. Please respond to all items, howbeit thinking they are duplicated, this would assure reliability of the questionnaire. Note, this research is not necessarily looking for right or wrong answers; it just wants to find out what you know on discrimination at work and its dimensions.

Instruction: Please select the appropriate answers by ticking right option(s) from the four options on the scale which says gender, ethnicity, religion, age, strongly agree (SA), Agree (A), Strongly disagreed (D), Strongly disagreed (SD), Yes/No or complete as instructed while filling the questionnaire; you can tick as much as possible on a question where applicable. You will also be required to complete open ended questions in the spaces provided below.

Thank you.

Ogundipe Rukayat O.

Part 1: Demographic Information

Company Name:..... Department:..... Position:

Age: 18 – 25 please, specify () 26 - 33 () 34 - 41 () 42 - 49 () 50- 57 () 58- 65 () 65-
72 please specify ()

Sex: M () F () Religion: Islam () Christian () others () State of Origin:.....

Educational Qualification: OND () HND () BSC () Master's degree () PhD ()
others specify..... When was this organisation established?

Years of employment at the company

Forms and prevalence of employment discrimination scale

S/N	Items	Gender	Ethnicity	Religion	Age
1.	At work employees are treated the same by management, regardless of				
2.	At work employees receive fewer career opportunities due to policies based on				
3.	Some employees are paid different salary to that of others on the same level with same qualifications due to				
4.	Employees miss out on training and learning opportunities because of organisational policies based on				
5.	At work promotions and rewards are influenced by				
6.	Workers have sometimes been unfairly treated by superiors based on				
7.	Prejudices from superiors exist where I work based on				
8.	Prejudices from colleagues exist where I work based on				
9.	At work I feel socially isolated because of my				
10.	In this organisation have been discriminated against by management based on				
11.	In this organisation have been discriminated against by colleagues based on				
	Employee's reaction scale	Yes	No		
1.	I have been discriminated against by management before in formal employment in Oyo State				
2.	Accepted been discriminated against as a fact of life				
3.	Talked to someone/colleague about what to do about the situation.				
4.	I was encouraged to report by other employees/people.				
5.	Went on as if nothing had happened				
6.	Sought or found spiritual comfort and support				
7.	Talked to someone in management who could do something concrete about the situation				
8.	Reported to appropriate authority				
9a.	Did not report because I was afraid of retaliation from the employer				
b.	Didn't know where to go/how to go about reporting				
c.	Did not know you could report to high authority				
d.	Didn't think it would solve the problem				
e.	Worried about potential cost of legal representation				
f.	Prepared to accept some degree of discrimination as the norm				

g.	Afraid that it could affect my future employment prospects				
h.	The whole process would just take too long				
	Employees reaction to discrimination done by colleagues				
10.	I have been discriminated against by a supervisor/colleague before in formal employment in Oyo State.				
11.	Accepted been discriminated against as a fact of life.				
12.	Expressed anger to the person who discriminated against me.				
13.	Talked to colleagues/ people about it				
14.	I was encouraged to report				
15.	Went on as if nothing had happened				
16.	Sought /found spiritual comfort				
17.	Talked to someone in management who could do something concrete about the situation				
18.	Reported formally to management				
19a	Did not report because I was afraid of retaliation from the supervisor/colleague				
b.	Didn't think it would solve the problem				
c.	Worried about potential treatment by colleagues				
d.	Accepted some degree of discrimination as the norm				
	Employees discrimination factor scale	SA	A	D	SD
1.	Social-cultural norms encourage the existence of discrimination in the workplace.				
2.	Perception of the society about people based on their demographic (gender, age, ethnicity and religion) is carried over to the place of work.				
3.	Labour market saturation/unemployment encourages the existence of discrimination in the workplace.				
4.	Lack of an independent body to report cases of discrimination to encourages the existence of discrimination in the work place.				
5.	Stakeholders' attitude encourages the existence of discrimination in the work place.				
6.	Economic situation of the nation encourages discrimination in the work place.				
7.	Organisational/government policies sometimes leads to discrimination in the work place				
	Awareness of Employment discrimination redress mechanism scale	Yes	No	Not Aware	
1.	There is a workplace policy in my organisatio				
2.	It is written				
3.	The policy has a section on discrimination at work				

4.	There is a grievance settling procedure in the policy				
5.	The same grievance settling procedure is used for discrimination cases				
6.	The grievance settling procedures are good for discrimination cases				
7.	There should be a different procedure for discrimination cases				
8.	I have a copy/ access to a copy of the policy at will				
	Effect of Employment discrimination scale	SA	A	D	SD
1.	Employment discrimination leads to stress on the job				
2.	Employment discrimination increases absenteeism on the job				
3.	Employment discrimination denies access to social groups within the organization				
4.	Employment discrimination denies access to social groups outside the organization				
5.	Employment discrimination affects employee's wellbeing				
6.	Employment discrimination affects employees job performance				
7.	Employment discrimination reduces job commitment				
8.	Employment discrimination affects the public image of the organisation negatively				
9.	Employment discrimination affects the profit margin of the organization				
	Trade union role on Employment Discrimination scale	SA	A	D	SD
1.	The sector/industry I work in has a Trade union				
2.	Addressing discrimination is not a responsibility of the union				
3.	Trade unions work towards eradicating discrimination at work by creating awareness through various means				
4.	Trade unions sensitise workers on employment discrimination				
5.	At least one sensitisation seminar has been organised by the Union in the past 5 years on discrimination				
6.	Trade union has taken up cases of discrimination in the past				
7.	The union protect workers against discrimination in the work place				
8.	Trade union is an authority to report discrimination to				

	Labour statutes and employment discrimination scale	SA	A	SD	D
1.	There are national and state statutes on forms of discrimination in employment in Nigeria				
2.	There are state statutes on forms of discrimination in employment				
3.	There is an autonomous body to govern the implementation of statutes and keep up to date data on occurrence of discrimination				
4.	There should be a national statute on all forms of discrimination in employment				
5.	The statutes on each discrimination should be separate				
6.	There is an autonomous body to govern the implementation of statutes and keep up to date data on occurrence of discrimination				
7.	Name an employment discrimination law/policy in Nigeria.				
	Ministry of labour and employment discrimination scale	Yes	No		
1.	One of the function of the Ministry is to eliminate discrimination at work				
2.	Ministry visits our organisation to sensitise on discrimination				
3.	The Ministry has intervened in cases of discrimination				
4.	The Ministry has conducted seminars on discrimination for employees in the last 5 years				
5.	Cases of discrimination can be reported to the Ministry of Labour				

APPENDIX II
DEPARTMENT OF ADULT EDUCATION
FACULTY OF EDUCATION

UNIVERSITY OF IBADAN, OYO STATE

**ASSESSMENT OF TRADE UNION'S ON EMPLOYMENT DISCRIMINATION
QUESTIONNAIRE**

Dear sir/madam,

The research is strictly for academic usage; hence information provided is confidential. It would be highly appreciated if you could take a few minutes of your time to answer the following questions. Please respond to all items, howbeit thinking they are duplicated, this would assure reliability of the questionnaire. Note, this research is not necessarily looking for right or wrong answers; it just wants to find out what you know on discrimination at work and its dimensions.

Thank you.

Ogundipe Rukayat. O

Instruction: Please select the appropriate answers by ticking Strongly agree (SA), Agree (A), Strongly disagreed (D), Strongly disagreed (SD), Yes/No, Don't know or complete as instructed while filling the questionnaire. You will be required to complete open ended questions in the spaces provided also.

Thank you.

Part 1: Demographic Information

Trade Union:..... Official post:..... Branch:

Sex: M () F () Age: 18 – 25please, specify.... () 26 - 33 () 34 - 41 () 42 - 49 () 50-57 () 58- 65 () 65-72 () please, specify..... Educational Qualification: A.OND () B. HND () C. BSC () D. Master's degree () E. PhD () others specify.....

Trade Unions reaction to employment discrimination scale

	Items	SA	A	D	SD
1.	Addressing discrimination is not a responsibility of the union				
2.	The union sensitises members on workplace discrimination				
3.	At least one sensitisation seminar has been organised by the Union in the past 5 years on discrimination				
4.	Flyers and leaflets are frequently printed by the union on discrimination.				
5.	The union has taken up case(s) of discrimination in the past				
6.	The union faces limitations in the protection of workers against discrimination at work				
	Employment discrimination factor Scale	SA	A	D	SD
1.	Social-cultural norms encourage the existence of discrimination in the workplace.				
2.	Perception of the society about people based on their demographic (gender, age, ethnicity and religion) is carried over to the place of work.				
3.	Labour market saturation/unemployment encourages the existence of discrimination in the workplace.				
4.	Lack of an independent body to report cases of discrimination to encourages the existence of discrimination in the work place.				
5.	Stakeholders' attitude encourages the existence of discrimination in the work place.				
6.	Economic situation of the nation encourages discrimination in the work place.				
7.	Organisational/government policies sometimes leads to discrimination in the work place				
	Employment Discrimination Redress Mechanism Scale	Yes	No	Don't Know	
1.	There are workplace policies in member organisations in Ibadan metropolis				
2.	They are mostly written				
3.	The policies have sections on discrimination at work				
4.	There are grievance settling procedures in the policies				
5.	The grievance settling procedures are used for discrimination cases				
6.	The grievance settling procedures are good for discrimination cases				
7.	There is a grievance settling procedure put in place by the union to address discrimination at work				

8.	The union have a handbook on discriminatory practices in the work place				
9.	Cases of discrimination has been reported to the union before				
	Labour statutes and employment discrimination scale	Yes	No	Don't know	
1.	There are national and state statutes on forms of discrimination in employment in Nigeria				
2.	There are state statutes on forms of discrimination in employment				
3.	There is an autonomous body to govern the implementation of statutes and keep up to date data on occurrence of discrimination				
4.	There should be a national statute on all forms of discrimination in employment				
5.	The statutes on each discrimination should be separate				
6.	There is an autonomous body to govern the implementation of statutes and keep up to date data on occurrence of discrimination				
7.	Name an employment discrimination law/policy in Nigeria.				
	Ministry of labour and employment discrimination scale	Yes	No		
1.	Ministry liaises with our union to sensitise us on discrimination in employment				
2.	Ministry liaises with our union to sensitise on other work related matters				
3.	The Ministry liaises with unions in ensuring the protection of workers against discrimination				
4.	The Ministry has invited trade union to seminars on discrimination at work before				
5.	The Ministry has conducted seminars on discrimination for union members/officials in the last 5 years				
6.	The Ministry has conducted seminars on discrimination for employees in the last 5 years				

APPENDIX III

**ADULT EDUCATION, DEPARTMENT
FACULTY OF EDUCATION
UNIVERSITY OF IBADAN, IBADAN**

Assessment of Labour Officials on Employment Discrimination in the Organised Private Sector Questionnaire

Dear Sir/Madam,

This research is strictly for academic purpose; hence information provided is confidential. It would be highly appreciated if you could take a few minutes of your time to answer the following questions. Please respond to all items, howbeit thinking they are duplicated, this would assure reliability of the questionnaire. Note, this research is not necessarily looking for right or wrong answers; it just wants to find out what you know on discrimination at work and its dimensions.

Thank you.

Ogundipe Rukayat. O

Instruction: Please select the appropriate answers by ticking: Strongly agree (SA), Agree (A), Strongly disagreed (D), Strongly disagreed (SD) and Yes and No options. You will also be required to complete open ended questions in the spaces provided below. Thank you.

Part 1: Demographic Information

Organisation: Department: Position/Cadre:

Age: 18 – 25 please, specify.... () 26 - 33 () 34 - 41 () 42 - 49 () 50- 57 () 58- 65 () 65- 72 () please, specify..... Sex: M () F () Years of services at the department:

.....

Educational Qualification: A.OND () B. HND () C. BSC () D. Master's degree () E. PhD () others specify.....

Labour statutes and employment discrimination scale

	Items	Yes	No	Don't know	
1.	There are national and state statutes on forms of discrimination in employment in Nigeria				
2.	There are state statutes on forms of discrimination in employment				
3.	There is an autonomous body to govern the implementation of statutes and keep up to date data on occurrence of discrimination				
4.	There should be a national statute on all forms of discrimination in employment				
5.	The statutes on each discrimination should be separate				
6.	There is an autonomous body to govern the implementation of statutes and keep up to date data on occurrence of discrimination				
7.	Name an employment discrimination law/policy in Nigeria.				
	Ministry of Labour and employment discrimination scale	SA	A	SD	D
1.	It is the responsibility of the Ministry to intervene in cases of discrimination				
2.	The Ministry has intervened in cases of discrimination in private organisations in Ibadan Metropolis				
3.	The Ministry has intervened in discrimination cases in private organisations in the last 5 years				
4.	The Ministry liaises with unions in ensuring the protection of workers against discrimination				
5.	The Ministry conducts seminars on discrimination for employees.				
6.	The Ministry conducts seminars on discrimination for trade union officials.				
7.	It is a responsibility of the Ministry to sensitise employees and trade unions on discrimination issues				
8.	At least one seminar/workshop/conference has been conducted on discrimination in the workplace in last 5 years for employees				
9.	At least one seminar/workshop/conference has been conducted on discrimination in the workplace in last 5 years for Trade unions				
10.	Name one seminar conducted on discrimination by the Ministry in the past 5 years				

APPENDIX IV
DEPARTMENT OF ADULT EDUCATION
FACULTY OF EDUCATION
UNIVERSITY OF IBADAN, IBADAN

IN-DEPTH INTERVIEW GUIDE FOR TRADE UNION MEMBERS

Date:

Time interview commenced:

Venue:

Section I–: Introduction/Purpose

My sincere appreciation to you for choosing to partake in this interview, thank you and welcome. The purpose of this in depth interview (IDI) is to address issues relating to employment discrimination in the private sector of Oyo, State, Nigeria. IDI is a technique of interview where a researcher orally asks questions and records the participant’s answer, discrimination in organisations in Ibadan metropolis will be discussed. All your comments and opinions are of utmost importance. Please, feel free to express your view(s). All points of view are welcomed. Responses are solely for use in this survey, hence they are classified. Please, speak clearly so that the recording device can record your voice clearly.

Instruction: This interview is strictly for academics purposes only, it is voluntary and you may decide not to answer questions you are not comfortable with.

Bio data

1. Name.....
2. Name of Union.....
3. Position/Rank.....
4. No of years as a union official.....
5. Place of employment.....
6. Position/Rank.....

7. No of years in current place of employment.....
8. No of years been employed overall.....

Section 2: Guiding Questions

Discrimination has a major factor to organisational development.

Is discrimination a hindrance to organisational development?

Can it alter the vision and mission of an organisation?

Do you think that employers know the effect that discrimination has on the organisation?

What is the effect of discrimination on an organisation?

Mediation in cases of discrimination

How do you mediate in cases of discrimination in an organisation?

How often do you mediate in cases of discrimination in your organisation?

What limits the union in the protection of workers against discrimination?

How does the union protect against discrimination in recruitment, selection, promotion and others?

How does the union protect workers against discrimination based on gender, ethnicity, religion and age?

Has the union ever taken up cases of discrimination?

What steps were taken/ how did you go about it?

Are the steps documented for future use?

Eradication of discrimination by the Trade Union

What are the efforts of trade union to eradicate discrimination in the work place?

How does the union encourage members to report discrimination?

Available grievances procedure

Is there a grievance procedure laid down by the union to be followed when there is a discrimination case at work?

Are there methods in place to address grievances generally?

What are the constraints faced in handling grievance procedures?

Do you think that there should be a procedure solely to tackle discrimination cases or the normal dispute settling procedure will suffice?

How can discrimination be curbed in the private sector in Oyo state?

Effect of discrimination on trade unionism

Can work place discrimination affect trade unionism?

If yes, how?

Thank you for your time.

Time interview ended

APPENDIX V
DEPARTMENT OF ADULT EDUCATION
FACULTY OF EDUCATION
UNIVERSITY OF IBADAN, IBADAN

IN-DEPTH INTERVIEW GUIDE FOR STAFF OF MINISTRY OF LABOUR

Date :

No. of participants.....

Time:

Venue:

Section I--: Introduction/Purpose

My sincere appreciation to you for choosing to partake in this interview, thank you and welcome. The purpose of this in depth interview (IDI) is to address issues relating to employment discrimination in the private sector of Oyo, State, Nigeria. IDI is a technique used to ask questions orally and responses will be recorded. We will be discussing discrimination in organisations in Ibadan metropolis. All your comments and opinions are of utmost importance. Please, feel free to express your view. Responses are solely for use in this survey, hence they are classified. Please, speak clearly so that the recording device can record your voice clearly.

Bio data

1. Name.....
2. Name of organisation.....
3. Age.....
4. Position/Rank.....
5. No of years on the position.....
6. No of years been employed in the Ministry.....

Section 2: Guiding Questions

Introduction/General

Who are labour inspectors?

What is the function of a labour inspector?

Is discrimination in the work place a primary concern of the Ministry?

Views of the Ministry on discrimination

Generally, what is your view about discrimination in the work place?

Does discrimination occur in the workplace? (do you think it is rampant or minimal)

What relationship(s) exist between discrimination and job/organisational performance?

Why does discrimination occur at work?

What are the factors that lead to discrimination in the work place?

Do you think that the eradication of discrimination can drive and promote decent work?

Is the end product of a discrimination free workplace decent work?

How can labour inspectors help to reduce employment discrimination?

Policies addressing discrimination

Is there a policy/act in place that guides the Ministry on steps to take in cases of discrimination?

Are there policies in place to address discrimination in the work place in Nigeria or Oyo State?

How often do policies addressing discrimination made or updated to accommodate changes in the workplace?

Do you think policies addressing discrimination are updated often enough?

Reports on discrimination

Who should an employee report discrimination cases to?

Do you think an average employee knows how to handle the occurrence of discrimination?

Do you think cases of employment discrimination are reported often enough?

Have employees ever reported to you officially or non –officially that they have been discriminated against?

Do you have official reports from an employee on discrimination?

Effort of the Ministry in curbing discrimination in employment

What is the role of the Ministry when it comes to employment discrimination?

What efforts are in place to curb employment discrimination in the private sector of Oyo State?

What process does the Ministry take to intervene regarding discrimination?

In cases of report how do you help such an employee?

What are the constraints in handling grievance procedures particularly discrimination?

What limits the Ministry in the protection of workers against discrimination?

Enlightenment/creation of awareness for employers and employees on discriminatory practices on organisations and employees rights against discrimination

What do you think are the effects of discrimination in and on an organisation?

Do you enlighten employers on the effects of discrimination in the workplace?

Do you enlighten employees on discrimination and their rights against it?

If you do, how do you do this?

Do you have meetings with employers and employees on discriminatory practices within/outside their organisations?

Training on discrimination

How often do you get trained on your responsibilities as members of staff of the inspectorate department?

Have you ever attended training on discrimination in the work place?

Have you ever been trained on ways to handle discrimination claims?

When was your last training and it was on what topic?

Is it within your job description to organise trainings, seminars or workshops for stakeholders?

How many of such trainings have you conducted in the last 5 years?

Have you ever done any training on discrimination for stakeholders?

Liaison with the unions in ensuring workers welfare

Do you liaise with trade unions when it comes to workers welfare in the state?

Has there ever been collaboration between the two bodies on discrimination in the work place?

How can employment discrimination be reduced to its barest minimum in the work place?

Thank you for your time.

Time interview ended

APPENDIX VI
DEPARTMENT OF ADULT EDUCATION
FACULTY OF EDUCATION
UNIVERSITY OF IBADAN, IBADAN

**KEY INFORMANT INTERVIEW (KII) GUIDE FOR LABOUR LAW
PRACTITIONER**

Date:

Time:

Venue:

Instruction: Ask participant to choose a nickname that will be used for the purpose of the discussion. Before beginning ask participant to clearly state his or her nick name for a tape recorder check.

Section I--: Introduction/ Purpose

Welcome participant: My sincere appreciation to you for granting this interview, thank you. KII is a method of collecting information from experts or person (s) with firsthand knowledge or unique information on a subject matter. We will be discussing employment discrimination laws and processes available to combat this phenomenon in Oyo state. All your comments and opinions are of utmost importance. Responses are solely for use in this survey, hence they are classified. Please, speak clearly so that the recording device can record your voice clearly.

Instruction: This interview is strictly for academics purposes only, it is voluntary and you may decide not to answer questions you are not comfortable with.

Bio data

1. Name of Organisation
2. Profession.....
3. Rank.....
4. Years of practice.....

Section 2: Guiding Questions

Labour law and usage.

What is a labour law?

What is the usefulness of a labour law?

Are labour laws effective?

Labour act on discrimination.

Is there a Federal enacted labour law on discrimination?

Is there an Oyo state government enacted labour law on discrimination?

Is there a solitary discriminatory statutes, polices, act in place in the country or state?

Are there Labour law acts that takes into consideration all forms of discrimination nationally and state wise?

Should the acts be done separately or together?

Reduction of discriminatory practices in the world of work

Have you ever solicited on behalf of an employee due to discrimination?

Do you think it is a common occurrence in the workplace?

Do you think the result of a free or almost free discrimination workplace facilitates/leads to decent work?

How can discrimination be curbed in the private sector in Oyo state?

Thank you for your time.

Time interview ended

APPENDIX VII
UNIVERSITY OF IBADAN
ADULT EDUCATION DEPARTMENT/INDUSTRIAL EDUCATION UNIT
RESEARCH TOPIC: DIMENSIONS OF EMPLOYMENT DISCRIMINATION IN
THE ORGANISED PRIVATE SECTOR OF OYO STATE, NIGERIA
RESEARCH PARTICIPANT CONSENT FORM

I understand that my participation in this interview is voluntary, that I can withdraw at any time without reason and can also decline to answer any question(s).

I agree to my interview been recorded while I remain anonymous, that is, my identity is concealed.

I agree that quotes and quotations may be used from my interview, published in articles, used in conference presentations, or used for standard academic purposes while I remain anonymous.

I understand that the data collected during the interview maybe inspected by internal and external supervisor(s) or other academic staff allocated for the research.

If this research leads to commercial products, the researcher will own it. There is no plan to con- tact any participant now or in the future about such benefits.

I confirm that I have read this consent form, had the opportunity to ask questions from the researcher based on the interview and I have had the questions answered to my satisfaction before signing.

Name of participant:_____

Signature/Date:_____