



LEGAL ANALYSIS OF THE CHALLENGES OF JOB INSECURITY IN NIGERIA AND ITS EFFECTS ON NIGERIANS

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ABSTRACT

The challenge of job insecurity has assumed unprecedented dimensions in Nigeria's contemporary labour system. Economic instability, casualisation of labour, outsourcing, weak labour institutions, technological disruption, privatization policies, and rising unemployment have collectively exposed Nigerian workers to precarious employment conditions. This article critically examines the legal and socio-economic dimensions of job insecurity in Nigeria and its implications on Nigerians. The paper interrogates the conceptual meaning of job insecurity, traces the historical evolution of labour protection in Nigeria, and evaluates the constitutional, statutory, and international legal frameworks regulating employment security. The article further analyses the judicial attitudes of Nigerian courts toward labour protection and employment security. It argues that despite the existence of substantial labour laws and judicial safeguards, inadequate enforcement, weak institutions, corruption, and inconsistent government policies have continued to undermine workers' rights and employment stability. The article concludes that job insecurity contributes significantly to poverty, industrial unrest, psychological trauma, low productivity, brain drain, and socio-economic underdevelopment. The paper recommends comprehensive labour law reforms, stronger institutional enforcement, domestication of international labour standards, social security mechanisms, and judicial activism as necessary measures for promoting decent work and sustainable national development in Nigeria.

KEYWORDS: Decent Work, Employees' Rights, Employment Protection, Job Security, Labour Law, Termination of Employment.

1. INTRODUCTION

Employment represents not merely a contractual relationship between employers and employees, but also a critical instrument for economic empowerment, social identity, political stability, and national development. A secured employment environment promotes industrial peace, economic growth, productivity, and social justice. Conversely, job insecurity undermines workers' welfare, weakens industrial harmony, and negatively affects national development. In Nigeria, job insecurity has become one of the defining features of the labour market. The realities of mass unemployment, casualisation, contract staffing, redundancy, underemployment, and arbitrary dismissal have significantly affected the socio-economic wellbeing of Nigerians. Many workers operate under uncertain employment conditions where continued engagement depends solely on the discretion of employers without meaningful legal protection.

The rise of neoliberal economic policies, privatization programmes, globalization, and labour market flexibilization has further deepened the precarious nature of employment relations in



Nigeria.¹ Employers increasingly adopt temporary and outsourced employment arrangements aimed at reducing labour costs and avoiding statutory obligations associated with permanent employment such as pensions, gratuity, redundancy benefits, and collective bargaining rights.

The International Labour Organization (ILO) recognizes employment security as a central component of decent work and social justice.² Employment insecurity therefore constitutes not only an economic challenge but also a human rights issue affecting the dignity and livelihood of workers. The Nigerian economy has equally experienced repeated economic recessions, inflationary pressures, insecurity, declining industrial productivity, and unstable government policies, all of which have aggravated labour insecurity. The consequences are enormous and include poverty, depression, migration of skilled labour, family instability, increased crime rate, and industrial conflicts.

This article therefore undertakes a comprehensive legal appraisal of job insecurity in Nigeria. It analyses the conceptual framework of job insecurity, evaluates the constitutional and statutory protections available to workers, examines judicial attitudes toward labour protection, and discusses the challenges and prospects of employment security in Nigeria.

2. CONCEPTUAL CLARIFICATION OF JOB INSECURITY

Job insecurity refers to the uncertainty, fear, or perceived threat associated with the continuity of employment. It describes situations where employees feel vulnerable to the loss of employment or deterioration in working conditions. Greenhalgh and Rosenblatt define job insecurity as ‘the perceived inability to maintain continuity in a threatened job situation.’³ The concept extends beyond actual termination of employment and includes anxiety relating to loss of promotion opportunities, salary reductions, demotion, denial of employment benefits, deterioration in workplace conditions, and uncertainty regarding career progression.

Job insecurity may manifest in two principal dimensions:

(a) Quantitative Job Insecurity

This relates to fear of complete loss of employment through dismissal, retrenchment, redundancy, or closure of enterprises.

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¹ D Harvey, *A Brief History of Neoliberalism* (Oxford University Press 2005) 15.

² International Labour Organization, *Decent Work Agenda* (ILO Geneva 1999).

³ L Greenhalgh and Z Rosenblatt, ‘Job Insecurity: Toward Conceptual Clarity’ (1984) 9(3) *Academy of Management Review* 438.



(b) Qualitative Job Insecurity

This concerns fear of losing important features associated with employment such as salaries, pensions, bonuses, promotion opportunities, and favourable working conditions. In Nigeria, job insecurity manifests through several labour practices including casualisation of labour; contract staffing; temporary employment; outsourcing arrangements; redundancy exercises; unlawful dismissal; underemployment; poor remuneration; absence of social protection; and informal labour arrangements. The prevalence of these labour practices reflects the increasing flexibilisation of labour relations in Nigeria.

3. HISTORICAL DEVELOPMENT OF LABOUR PROTECTION IN NIGERIA

The evolution of labour regulation in Nigeria can be traced to the colonial era. Colonial labour laws were primarily designed to protect British commercial interests rather than workers' welfare.⁴ Early labour legislation such as the Master and Servants Ordinance imposed stringent obligations on workers while granting extensive powers to employers. Following independence, Nigeria introduced several labour statutes aimed at regulating employment relations and promoting industrial harmony. These include the Labour Act;⁵ Trade Unions Act;⁶ Trade Disputes Act;⁷ Factories Act;⁸ Employees' Compensation Act;⁹ Pension Reform Act;¹⁰ National Industrial Court Act.¹¹

During the era of military rule in Nigeria, labour relations were significantly influenced by authoritarian governance and restrictions on trade union activities. Although several labour statutes remained operational, military decrees frequently curtailed workers' rights and weakened collective bargaining mechanisms. Trade unions often experienced government interference, dissolution of union leadership, and restrictions on industrial actions. Consequently, employment security during this period was largely dependent on government policies rather than enforceable legal rights. The transition to democratic governance in 1999 brought renewed emphasis on constitutionalism, human rights, and labour protection, thereby creating opportunities for improved employment relations and judicial protection of workers. Despite these legislative interventions, labour insecurity has persisted largely due to poor implementation, weak enforcement institutions, corruption, and changing global economic realities.

⁴ O Kubeinje, *Nigerian Labour Law* (Malthouse Press 2007) 4.

⁵ Cap L1 Laws of the Federation of Nigeria 2004.

⁶ Cap T14 Laws of the Federation of Nigeria 2004.

⁷ Cap T8 Laws of the Federation of Nigeria 2004.

⁸ Cap F1 Laws of the Federation of Nigeria 2004.

⁹ Employees' Compensation Act 2010.

¹⁰ Pension Reform Act 2014.

¹¹ National Industrial Court Act 2006.



4. CONSTITUTIONAL FRAMEWORK ON EMPLOYMENT SECURITY

4.1 Fundamental Objectives and Directive Principles of State Policy

The Constitution of the Federal Republic of Nigeria 1999 (as amended) contains provisions relevant to labour welfare and employment security. Section 17(3)(a) provides that ‘The State shall direct its policy towards ensuring that all citizens, without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood.’¹² Section 17(3)(b) further mandates the State to ensure humane conditions of work and adequate welfare facilities.¹³ Similarly, Section 16(2)(d) requires the State to provide suitable employment opportunities, reasonable national minimum wage, pensions, unemployment benefits, and welfare schemes.¹⁴

These constitutional provisions collectively impose socio-economic obligations on government regarding employment creation and labour welfare. However, the enforceability of these provisions remains problematic due to Section 6(6)(c) of the Constitution which renders Chapter II generally non-justiciable.¹⁵ In *Archbishop Anthony Okogie v Attorney-General of Lagos State*,¹⁶ the Court of Appeal held that the provisions of Chapter II are not enforceable except where enacted into legislation. Nevertheless, Nigerian courts increasingly utilize Chapter II as interpretative guides in labour and human rights matters.

4.2 Right to Human Dignity

Section 34(1)(a) of the Constitution guarantees the dignity of human person and prohibits degrading treatment.¹⁷ Exploitative labour practices and inhuman workplace conditions may therefore violate constitutional guarantees.

4.3 Freedom of Association

Section 40 guarantees workers’ rights to form and belong to trade unions for protection of their interests.¹⁸ In *Osawe v Registrar of Trade Unions*,¹⁹ the Supreme Court affirmed that freedom of association constitutes a fundamental constitutional right. Similarly, in *Nigeria Labour Congress v Attorney-General of the Federation*,²⁰ the Court emphasized the constitutional significance of trade unions in protecting workers against exploitation.

4.4 Right to Fair Hearing and Employment Security

Apart from freedom of association and human dignity, the Constitution guarantees the right to fair hearing under section 36. Employees facing disciplinary proceedings are entitled to be informed of

¹² Constitution of the Federal Republic of Nigeria 1999 (as amended), s 17(3)(a).

¹³ Ibid, s 17(3)(b).

¹⁴ Ibid, s 16(2)(d).

¹⁵ Ibid, s 6(6)(c).

¹⁶ (1981) 2 NCLR 337.

¹⁷ Constitution of the Federal Republic of Nigeria 1999 (as amended), s 34.

¹⁸ Ibid, s 40.

¹⁹ (1985) 1 NWLR (Pt 4) 755.

²⁰ (2005) 14 NWLR (Pt 945) 1.



allegations against them and given adequate opportunity to defend themselves. The observance of fair hearing principles ensures transparency, prevents arbitrary dismissal, and promotes confidence in employment relationships. Nigerian courts have consistently maintained that disciplinary proceedings affecting civil rights and obligations must conform with the principles of natural justice.

5. STATUTORY FRAMEWORK REGULATING JOB SECURITY IN NIGERIA

5.1 Labour Act

The Labour Act²¹ remains the principal legislation regulating employment relationships in Nigeria. The Act contains provisions relating to contracts of employment, wages, welfare, termination, redundancy, and protection of workers.

Contracts of Employment

The Labour Act, section 7 requires employers to provide written particulars of employment within three months after engagement.²² Failure to issue employment particulars contributes to uncertainty and labour exploitation.

Termination of Employment

Section 11 regulates notice periods for termination of employment.²³ Where notice is not given, wages in lieu of notice become payable. In *Chukwumah v Shell Petroleum Development Company Ltd*,²⁴ the Supreme Court held that where a contract prescribes conditions for termination, such conditions must be strictly complied with. Similarly, in *Nigerian Telecommunications Ltd v Akwa*,²⁵ the Court reiterated that parties are bound by terms of their employment contract.

Redundancy

The Labour Act, section 20 regulates redundancy procedures and requires employers to:

- a. Inform workers' representatives;
- b. Apply the principle of "last in, first out"; and
- c. Negotiate redundancy benefits.²⁶

In practice, however, redundancy procedures are often abused by employers.

5.2 Trade Unions Act

The Trade Unions Act²⁷ protects workers' rights to organize and engage in collective bargaining. Trade unions remain essential mechanisms for combating labour insecurity.

²¹ Cap L1 Laws of the Federation of Nigeria 2004.

²² *Ibid*, s 7.

²³ *Ibid*, s 11.

²⁴ (1993) 4 NWLR (Pt 289) 512.

²⁵ (2006) 2 NWLR (Pt 964) 391.

²⁶ Labour Act, s 20.

²⁷ Cap T14 Laws of the Federation of Nigeria 2004.



5.3 Trade Disputes Act

The Trade Disputes Act²⁸ establishes procedures for resolution of industrial disputes through conciliation, arbitration, and adjudication by the National Industrial Court.

5.4 Employees' Compensation Act 2010

The Employees' Compensation Act²⁹ provides compensation for workers who suffer occupational injuries, diseases, disabilities, or death in the course of employment.

5.5 Pension Reform Act 2014

The Pension Reform Act³⁰ establishes contributory pension schemes aimed at guaranteeing post-retirement income security for workers.

5.6 National Minimum Wage Act 2019

The National Minimum Wage Act³¹ seeks to guarantee minimum income protection for Nigerian workers.

5.7 Employees' Compensation and Social Protection

The importance of social protection cannot be overemphasized in addressing job insecurity. The Employees' Compensation Act 2010 establishes a compensation regime for workers who sustain injuries or disabilities in the course of employment. The Act seeks to cushion the adverse effects of workplace accidents and guarantee income support to affected workers and their dependants. Such protective mechanisms contribute indirectly to employment security by assuring workers of financial support in times of occupational hardship.

6. INTERNATIONAL LABOUR STANDARDS AND EMPLOYMENT SECURITY

Nigeria is a member of the International Labour Organization and has ratified several conventions relating to labour protection and employment security. These include ILO Convention No. 87 on Freedom of Association; ILO Convention No. 98 on Collective Bargaining; ILO Convention No. 111 on Discrimination in Employment; and ILO Convention No. 158 on Termination of Employment. The ILO Convention No. 158, article 4 provides that workers' employment shall not be terminated except for valid reasons connected with conduct, capacity, or operational requirements of the undertaking.³² Section 254C(1)(f) of the Constitution empowers the National Industrial Court to apply international labour standards and international best practices.³³ In *Aloysius v Diamond Bank Plc*,³⁴ the National Industrial Court held that employers should provide valid reasons for termination in line with international labour standards. Similarly, in *Mrs*

²⁸ Cap T8 Laws of the Federation of Nigeria 2004.

²⁹ Employees' Compensation Act 2010.

³⁰ Pension Reform Act 2014.

³¹ National Minimum Wage Act 2019.

³² ILO Convention No 158 on Termination of Employment 1982, art 4.

³³ Constitution of the Federal Republic of Nigeria 1999 (Third Alteration), s 254C(1)(f).

³⁴ [2015] 58 NLLR (Pt 199) 92.



Abdulrahman Yetunde Mariam v University of Ilorin Teaching Hospital Management Board,³⁵ the National Industrial Court emphasized the relevance of international best practices in labour adjudication.

7. JUDICIAL PROTECTION OF EMPLOYMENT SECURITY IN NIGERIA

Employment with Statutory Flavour

Where employment is governed by statute, termination must comply strictly with statutory provisions. In *Olaniyan v University of Lagos*,³⁶ the Supreme Court held that statutory employment cannot be terminated arbitrarily. In *Shitta-Bey v Federal Public Service Commission*,³⁷ the Supreme Court declared that statutory disciplinary procedures must be strictly followed. Similarly, in *Federal Medical Centre, Ido-Ekiti v Alabi*,³⁸ the Supreme Court reaffirmed that employments with statutory flavour enjoy special protection. In *Bamgboye v University of Ilorin*,³⁹ the Court held that removal of academic staff without compliance with statutory procedures is unlawful.

Master and Servant Employment

Under common law principles, ordinary contracts of employment are generally terminable at the discretion of employers subject to notice requirements. In *Nigerian Produce Marketing Board v Adewunmi*,⁴⁰ the Supreme Court held that wrongful dismissal in master-servant relationships merely entitles the employee to damages. Similarly, in *Union Bank of Nigeria Ltd v Ogbob*,⁴¹ the Court reaffirmed the employer's right to terminate employment provided contractual terms are observed.

Fair Hearing in Employment Relations

The principles of fair hearing and natural justice apply to disciplinary proceedings affecting employment rights. In *Garba v University of Maiduguri*,⁴² the Supreme Court held that disciplinary proceedings affecting civil rights must comply with fair hearing requirements. Likewise, in *Yusuf v Union Bank of Nigeria Plc*,⁴³ the Supreme Court emphasized that employees accused of misconduct must be afforded fair hearing before disciplinary action.

³⁵ Suit No NICN/IL/08/2013 (unreported).

³⁶ (1985) 2 NWLR (Pt 9) 599.

³⁷ (1981) 1 SC 40.

³⁸ (2012) 2 NWLR (Pt 1285) 411.

³⁹ (1999) 10 NWLR (Pt 622) 290.

⁴⁰ (1972) 11 SC 111.

⁴¹ (1995) 2 NWLR (Pt 380) 647.

⁴² (1986) 1 NWLR (Pt 18) 550.

⁴³ (1996) 6 NWLR (Pt 457) 632



8. CAUSES AND CHALLENGES OF JOB INSECURITY IN NIGERIA

Casualisation of Labour

Casualisation represents one of the most serious labour challenges in Nigeria. Casual workers are often denied pension rights, medical benefits, job security, and unionization rights.

Economic Instability

Frequent economic recessions, inflation, and currency devaluation have compelled many organizations to adopt retrenchment and downsizing measures.

Corruption and Nepotism

Recruitment processes are frequently influenced by political patronage and ethnicity rather than merit.

Weak Enforcement Mechanisms

Labour inspectorates and regulatory agencies suffer poor funding and inadequate institutional capacity.

Globalization and Labour Market Flexibility

Global economic competition encourages employers to adopt flexible labour arrangements at the expense of employment security.

Technological Advancement

Automation and artificial intelligence continue to displace workers across several sectors.

Insecurity and Political Instability

Banditry, insurgency, kidnapping, and communal conflicts discourage investments and reduce employment opportunities.

9. EFFECTS OF JOB INSECURITY ON NIGERIANS

Poverty and Economic Hardship

Job insecurity exposes workers to financial instability and inability to meet basic needs.

Psychological and Mental Health Challenges

Employment uncertainty contributes to stress, anxiety, depression, and emotional instability.

Brain Drain

Many skilled Nigerians migrate abroad in search of stable employment opportunities.

Increase in Crime Rate

Unemployment and labour insecurity contribute significantly to armed robbery, cybercrime, kidnapping, and social unrest.

Reduced Productivity

Workers experiencing insecurity often demonstrate reduced morale and commitment.



Industrial Unrest

Poor working conditions frequently trigger strikes and industrial disputes.

Family Instability

Loss of employment contributes to domestic tensions and inability to cater for dependants.

10. PROSPECTS FOR ADDRESSING JOB INSECURITY IN NIGERIA

Labour Law Reforms

Nigeria urgently requires comprehensive reforms of existing labour laws to address casualisation and unfair labour practices.

Strengthening the National Industrial Court

The National Industrial Court should continue promoting labour justice and international best practices.

Enforcement of International Labour Standards

Nigeria should fully domesticate relevant ILO conventions.

Economic Diversification

Investment in agriculture, manufacturing, renewable energy, and technology sectors can generate sustainable employment opportunities.

Entrepreneurship Development

Government should provide financial and technical support for small and medium enterprises.

Social Security Systems

Effective unemployment benefits and welfare programmes should be established.

11. RECOMMENDATIONS

1. The Labour Act should be comprehensively amended to prohibit exploitative casualisation.
2. Government should establish unemployment insurance schemes.
3. Labour institutions should be adequately funded.
4. Employers should comply with international labour standards.
5. Trade unions should intensify advocacy for decent work.
6. Government should improve industrialization and economic diversification.
7. Judicial enforcement of labour rights should be strengthened.
8. Nigeria should domesticate outstanding ILO conventions relating to employment protection.



12. CONCLUSION

Job insecurity has become one of the most critical labour and socio-economic problems confronting Nigeria. Despite constitutional guarantees, statutory protections, judicial interventions, and international labour standards, millions of Nigerian workers continue to experience precarious employment conditions characterized by uncertainty, exploitation, and absence of social protection. The consequences of job insecurity are far-reaching and negatively affect workers, families, industries, and national development. There is therefore an urgent need for comprehensive labour reforms, stronger institutional enforcement, judicial activism, economic diversification, and effective social security programmes aimed at promoting decent work and sustainable employment security in Nigeria. Ultimately, a nation that fails to protect its workforce undermines its own economic growth, industrial peace, and social stability.