

Influence of Labour Policies on Workers' Discontent: A Focus on the Outsourcing Policy of Federal Teaching Hospital Abakaliki Nigeria

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Abstract

This study examines the link between outsourcing policy and workers' discontents as evidenced from tertiary health institutions in Ebonyi State. It adopted a descriptive survey design approach with the questionnaire as the main instrument of data collection. The Statistical Package for Social Sciences involving principal component analysis was employed in the analysis of data. Some of the findings of the study is that the politics of exclusion of major stakeholders in labour policy formulation is detrimental to the actualizations of the health goals, outsourcing increases psychic costs, lowers employees morale, and results in loss of job satisfaction and that some labour related policies engender workers' discontents, amongst others, with the implications that performance and productivity in service delivery are negatively affected. Based on the findings and to the extent that the outsourcing policy in Nigeria has not achieved some of their intended goals inadvertently or through their spurious applications, the study recommends amongst others that there should be appropriate guidelines for policy implementation. and that all public policies should be publicized and properly communicated to all those who are to be guided by it.

Key words: Influence of labour policies; Outsourcing policy; Workers' discontents

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1. BACKGROUND OF THE STUDY

The central goal of many work organizations is the production of goods and services that satisfy human wants at least costs. To some extent many work organizations hardly fulfill this goal because of divergent interests between labour and management. The divergences notwithstanding, the practices and behaviour of organizational participants are influenced and constrained by their environments which include but not limited to economic conditions, culture, structure of the organization, organizational politics and dynamics, and of course the legal/political environments.

In order to achieve set goals, organizations are known to have formulated different policies as guide to human conduct and behaviour. In the Federal Teaching Hospital, Abakaliki (FETHA), for instance, different policies have been put in place with the hope that both the vision and mission of the hospital become realizable and as well ensure efficient service delivery. FETHA, the outcome of the fusion of the former Federal Medical Centre, Abakaliki (FMC) and the Ebonyi State University Teaching Hospital, Abakaliki (EBSUTH), is known to have practicalized enunciated policies relating to monetisation, wage differential, skewed employment and outsourcing with possible attendant socio-economic, political and organizational consequences.

To Onu (2003), the hub and yardstick for policy measurement is to be found upon the impact. A good policy he opines may not necessarily depend on its contents or outlined strategies but upon its impact. Certain policies are known to have impacted on organizations and systems the way they were not intended. Such unintended impacts do usually arise from misrepresentation, misinterpretation and obsolescence occasioned by rapid changes, lack of or insufficient consultation with relevant stakeholders. Some other times, lack of political will and determination, paucity of resources and recalcitrant

attitude and behaviours of actors on both sides of the enterprise are known to have made the full realization of the intended benefits of labour policies difficult if not impossible, so that we now have a health sector characterized by increasing job dissatisfaction, labour unrest, labour migration and other manifestations of labour discontents.

2. STATEMENT OF THE PROBLEM

Today, within the context of the Nigerian environment, labour discontent occupies an eminent position in the lexicon of most industrial undertakings; the tertiary health sector of Ebonyi State inclusive. Part of the proposition is that public labour policies potentially correlate to labour discontent, with consequences of disquieting dimensions. For instance, the outsourcing policy introduced by FETHAEbonyi State with the tripartite goals of achieving excellence, cost reduction and maintenance of competitive advantage has been greeted with disdain and criticized by some trade unionists.

The scenario may have fuelled the positions of some management thinkers who posit that the yardstick for policy measurement may not necessarily depend on the contents or outlined strategies of a policy but on their impact. Therefore, it is intended in this study to examine the link between outsourcing policy and workers' discontents. For the purpose of this investigation, trade dispute and other forms of labour discontents are the variables that are influenced and therefore, dependent on outsourcing policy.

3. LITERATURE REVIEW

The concept of outsourcing is traceable to Adams Smith's theory of comparative advantage. Adams Smith (1723 – 90) had posited that "if a country can supply a commodity cheaper than others can, it is better to buy it off her." This intellectual proposition though made some two centuries ago, can be said to have laid the foundation of what has today become a management reality – outsourcing. Originally, this practice was associated with manufacturing firms such as Coca-cola that outsourced large segments of its supply chain (Tas & Sunder, 2004).

Today, the economic aspects of globalization have come to intensify the outsourcing of business operations so that the practice is no longer limited to manufacturing concerns. Current trends show that organizations that asked the question why outsource has become proponents of outsourcing as a model for long-term competitive strategy (Okafor & Udu, 2010). By definition outsourcing is said to occur any time one enterprise makes a contract with another to perform a process that is normally done internally by the first enterprise (NOPIF, 2007). Okafor and Udu (2010) capture a more detailed explanation of outsourcing by stating that outsourcing involves the

transfer of the management and/or day-to-day execution of an entire business function to an external service provider. In outsourcing, the client organization and supplier enter into agreement that defines the transferred services. Under the agreement, the supplier acquires the means of production in the form of transfer of people, assets and other resources from the client. By so doing, the buyer turns over the control (ownership) of the process, labour and materials to the supplier. The buyer tells the supplier what results to achieve or is expected, but the supplier decides how to accomplish those results. In outsourcing, the supplier presumably has some level of expertise and economies of scale in certain processes that enable him to dictate the "how" and by so doing create or add values, that ordinarily would be absent in contracting.

The foregoing positions reveal that in its simplest form, outsourcing takes place when an organization transfers the ownership of a business process or function to a supplier. The key to their definition is the aspect of control – a definition that separates outsourcing from other business relationships in which the buyer retains control ("ownership") or, in other words tells the supplier how to do the work. Hence, management does not dictate to the supplier the specific condition(s) on how to do the job, which confers not only responsibility but also accountability on the supplier.

Business Process Outsourcing (BPO) as it is sometimes called may be categorized into back office and front office outsourcing. While back office outsourcing is used to refer to internal business functions such as tax preparation, internal auditing, data storage, pay roll accounting and finance etc, front office outsourcing refers to customer related/outside services. A categorization of B.P.O based on geography reveals that process(es) "contracted" outside a company's country is called off-shore outsourcing, while process(es) "contracted" to an organizations neighbouring country is referred to near-shore outsourcing.

Outsourcing is gaining momentum globally as a strategy for enhancing the revenue base of organizations and countries. Today, the practice is changing the landscape of businesses as India and China and other South-East Asian countries of the world have made it an important and key sector in the development of their economy. The employment of outsourcing as a strategy is premised on the believe that it increases a countries flexibility, enables a company to focus on its core competences without being burdened by the demands of bureaucratic restraints, and may help a company create a competitive edge (Kakabadse & Kakabadse, 2002; Gilley & Rasheed, 2004; Leavy, 2004; Willcocks et al., 2004).

For the IPD (1998), the biggest single cause in the increase of outsourcing has been the concept of the core organization which focuses its in-house expertise on its primary function and purchases any necessary support from a range of sources in its periphery. As companies grow in size and operation, it becomes increasingly clear

that their focus has to be redirected to their core activities. In other words, organizations that outsource would be free to focus on their core business achieving required competence, while leaving non-core responsibilities to the outside party.

Eze (2008) submits that excellence can be achieved through outsourcing. With particular reference to Nigeria, he opines that the country needs a labour force that is cost effective and attractive to the global business. Occasioned by the bid to strengthen the economy and to overcome some of the challenges facing leaders and managers, outsourcing represents an attempt at standardizing Nigeria's labour force and at the same time enhancing the global competitiveness of its human capital. What is envisioned is that outsourcing will lead to a conscious development of a labour culture, appealing wage system, qualified, committed, and efficient workforce that will constitute part of the engine of growth and development.

For Nwodo (2008), global businesses are increasingly concentrating on their core competencies while systematically disengaging from non-core services. Outsourcing has become a strategy for sharpening the competitive edge of firms and organizations. As a flexible form of labour engagement, outsourcing will help drive down cost through the conscious engagement and use of people that constitute the critical mass of those available for employment and ultimately position Nigeria for the challenges of development through a well organized workforce.

Apart from the logic of labour effectiveness and efficiency, cost reduction, competitive advantage and focus, outsourcing as a business strategy is also justified on some other grounds. For Armstrong (2005), there are three reasons for outsourcing namely cost saving, the need for focus or concentration and obtaining expertise. Other writers try to bifurcate the reasons for outsourcing. While some of the reasons are strategic in nature, others are tactical.

Probably, these perceived benefits of outsourcing lured the Federal Government of Nigeria (FGN) into formulating the National Outsourcing Policy and Institutional Framework for Nigeria in 2007. The policy is premised in part on the need to explore and exploit alternative sources of national income generation base on the realization of the implications of Nigeria's finite oil reserves.

However, the overall policy objective is the promotion of an enabling institutional, legal, regulatory, technological and infrastructural environment for the sustainable development of outsourcing business in Nigeria.

Desirous of achieving these goals, the Government in line with section 7(2) of the policy document will "jump-start" the process by outsourcing some of its non-critical functions and services. In line with this, Ministries, Departments, and Agencies (MDA'S) as well as certain institutions were directed to follow suit. In the institution under review, certain functions, which hitherto, were performed by the hospitals, are now outsourced and include laundry, hotel and catering, security services, and

human resource procurement.

Lofty goals and good intentions one may say, however, an observation of the practice over the last few years may run counter to the perceived advantages. Can one safely say that the gains perceived had been realized? Can the practice of outsourcing be said to be consistent with the laws of the land? (Section 10 of the Labour Act, 2004 stipulates that "the transfer of any contract from one employer to another shall be subject to the consent of the worker(s) and the endorsement of the transfer of the contract by an authorized labour officer"), how has the practice of outsourcing generally affected the worker – his person, satisfaction, his earnings and the like?

A clue as the ugly side of business process outsourcing is given in the following discussion. In the words of Armstrong (2005), a seemingly random policy of outsourcing can lead to lower employee morale and to a "who next" atmosphere. He sums up the problems with outsourcing in the following words.

One of the main problems was that firms outsourced for short-term cost and headcount reductions. The problems were that some firms unthinkingly outsourced some of their core activities on an ad-hoc basis to gain short-term advantage, while others found that they were being leveraged by their suppliers to pay higher rates. Firms may focus on a definition of the core that is justified at the time but does not take account of the future.. the result is that a very large proportion of firms that have outsourced are not satisfied with the results.

It is claimed that matters of procedures are not adhered to in the determination of functions to be outsourced and who the supplier(s) should be and given the Nigerian mentality, organizations that are not sufficiently equipped and lacking in the needed expertise emerge as suppliers of the service(s) being outsourced. The result is that employees become badly managed, remunerations and pay packages decline, the quality of services is affected negatively just as the envisioned reduction in operation costs remains a mirage.

Krugman (2006) commenting on the negative end of outsourcing is of the view that outsourcing represents a new threat, contributing to rampant workers insecurity, and reflective of the general process of globalization. As a process through which a department, equipment as well as personnel is sold to a service provider who may retain the workers on worse conditions or discharge them in the short-term, he maintains that the affected workers may often feel they are being sold "down the river".

It is also argued that outsourcing leads to casualization of labour. It was against this backdrop that Adams Oshimole, the erstwhile leader of the Nigerian Labour Congress (NLC), led workers to picket many companies considered as not being protective of workers' rights and welfare. To Oshimole as to many others, outsourcing damages the local labour market, robs it off its permanent allure and prevents direct communication between the company and its clients (Eze, 2008).

In addition, the practice of outsourcing is said to run counter to some provisions of the Labour Act 2005, as amended. For instance, certain banks, the Federal Teaching Hospital, Abakaliki, as well as some other Federal agencies have outsourced security services in their organizations. Women are recruited as part of the security outfits and at times made to function contrary to the stipulations of the Labour Act. Section 55, CAP 198 of Labour Act (2005) as amended stipulates inter-alia.

that no woman shall be employed on night work in a public or private industrial undertaking of/in any agricultural undertaking ... this section shall not apply to woman employed as nurses nor women holding responsible positions of management.

A further clarification of the provision is made in section 55 (2) where it is stated that women could engage in night work if:

the night work in question was due to an interruption of work which it was impossible to foresee and which is not of a recurring character, if the night work in question had to do with raw material or materials in course of treatment, which are subject to rapid deterioration and which it was necessary to preserve such materials from certain loss.

Where women are made to do night shifts as security personnel (8 pm – 8 am), are not employed as nurses nor as management staff and such night shifts are recurring in nature, not premised on unforeseen circumstances or exigencies, nor predicated on the need to preserve the deterioration of raw materials, subject to the provisions of this section of the Labour Act, as indicated, it is argued that the practice of outsourcing should be dispensed with.

Synthesized, the following are identified as criticisms of outsourcing.

- The transaction cost associated with transferring control of the materials, equipment and labour process to an external entity is usually high. Not only are the economic costs high, the psychic costs are immeasurable.

- Where outsourcing becomes the preferred course of action; an organization may not invest in technology that is capable of improving productivity. Non-real productivity gains are made in the short run without recourse to real productivity gains, occasioned by shifting work to lower paid workers. A consequence of this may be that the organization lags behind, as its operating facilities become obsolete.

- Methodological weaknesses, procedural issues, absence of a regulatory paradigm, lack of due processes, clientelism, religious affiliation, cronyism and ethnic considerations become major and ubiquitous yardsticks for selection of service providers or suppliers.

- Outsourcing increases tension, heightens emotionality and affects the organizational climate. Where employees constantly get worried with the question who next?, morale of the workforce is dampened. There could be the problem of quality of people or organizations involved. The supplier(s) may not be the right people or experts intended just as the “former” employees could come to be

replaced by people less qualified, therefore better quality as envisaged, remains unachievable.

- Reductions in the operating costs may remain unrealizable because of “Nigerian” factors and the absence of due process.

- Outsourcing increases the rate of labour migration and staff turnover with possible loss of key company/organization skills, a situation that can weaken capacity building, which may keep quality at a low level.

- With outsourcing, some affected workers may not change desk, or workers transferred to a different region or location but their legal status have changed. They are no longer directly responsible to or employed by the organization that hitherto, employed them. This may create legal, security and compliance issues. Fraud and other related criminal activities might become more manifest.

- Outsourcing exploits lower paid workers thus, raising social responsibilities issues.

- Outsourcing may run counter to shareholders interest and view through failure to realize the business value that was originally promised (Okafor & Udu, 2010).

Meanwhile, Yesufu (1984) opines that discontents are by-products of the dynamic relationships that exist in industries. Continuing, he subscribes that discontents arise due to unmet expectations. Therefore, labour discontents are the fallouts of unmet expectations occasioned by changing conditions in contracts of employment. The New International Webster's Comprehensive Dictionary (2004) defines discontent simply as dissatisfaction.

Labour discontent may be latent, passive or active. No matter its form of existence, discontent has the capacity to be disruptive of the industrial relations equilibrium. A latent or passive discontent can become active, hence, a grievance. At the level of the individual, such an employee feels aggrieved by a particular treatment meted out to him by a supervisor. The grievance can also be collective affecting a group of employees and such group grievance if monitored, organized and coordinated say by a trade union, become a trade dispute.

Both history and tradition have shown that organized discontent in the form of trade disputes tend to result in some form of industrial actions which may take any of the following forms namely, lockouts, and strikes. Lockout(s) is the action of an employer against the collective body of employees. Lockouts result from management prerogatives and are normally adopted as countervailing strategy to work-to-rule, slow-down, or sit down strike actions by workers'. At the extreme, this management strategy cum policy could be extended to include lay-offs, retrenchments, and no-work no-pay, all of which have capability of fueling further industrial unrest, disharmony as well as employee dissatisfaction.

Strike in the opinion of Klatt and associates (1978), is a refusal by a group of employees to perform their jobs. For Yesufu (1984), strike is a complete withdrawal of work or efforts by the employees, thus forcing the employer to

close the establishment with a possible loss of pay by the employee. Fasoyin (2002), is of the view that strike is a unpalatable side of industrial relations which indicates a breakdown of cordial relationship between labour and management and is usually one aspect of industrial relations that invites the most negative commentary. In simple language he defines strike as cessation of work.

The trade disputes (Emergency Provision Decree, 1969) in Anugwom, (2007) gives a rather expansive definition of strike to mean a cessation of work by a body of persons employed acting in combination, or a concerted refusal, or a refusal under common understanding of any number of persons employed to continue to work for an employer in consequence of a dispute, done as a means of compelling the employer or any person or body of persons, employed to aid other workers in compelling their employer or any person employed to accept or not accept terms of employment and physical conditions of work. The Decree also subscribes to the idea that cessation of work would also include deliberately working at less than usual speed or less than usual efficiency.

Today, strike has become a common feature of many of the work organizations. This situation seems to be exacerbated with the return to civilian rule and the adoption of democratic principles that amplify peoples' rights and freedom. Not that strikes are a new phenomenon but the incidence and dynamics have changed considerably, consequent on the premise that some policies no longer seem to serve as was originally intended, so that periodic intervention by government in the review of wages and general conditions of service had the negative effect of disrupting the collective bargaining process and industrial harmony.

No matter how conjectured or reasons adduced, trade disputes have become inevitable elements of work organizations. While wages, discipline and conditions of service are the dominant causes, unpleasant economic conditions and workers' dissatisfaction with the political process have also been identified by Gbosi and Omoke (2004) as being responsible for the relatively high incidence of strikes in sectors of the economy.

4. THEORETICAL FRAMEWORK

The study adopts an eclectic model as the explanatory framework to help facilitate better understanding of the problem under investigation. In a more specific sense, this work draws largely from the postulations of conflict theory, equity theory, and agency theory.

Conflict theory was propounded by Karl Max (1818-1883), and later developed by other scholars so that each individual participant and each group struggle to maximize their benefits, which inevitably contributes to social change. Asogwa and Omemma (2001) in their work "modern dictionary of political science", submit

that conflict theory is a term loosely applied to the works of number of sociological theorists who are opposed to structural functional theory on the grounds that it neglects the empirical fact that conflicts of values and interests are inherent in all forms of human society.

Equity theory is generally associated with the pioneering work of J. Stacy Adams published way back in 1965. Within the work context, equity theory is concerned with peoples perception about how they are treated i.e. people make comparison between themselves and others in terms of what they invest in their work (input) and what outcomes they receive from it (Armstrong, 2005; Cole, 2005). Equity involves perception and comparison, which may be products of subjective consideration and not derivatives of objective situations.

Agency theory, which has been extended to include the labour process approach, draws largely from the seminal works of Braverman (1974) titled *Labour and Monopoly Capitalism: the degradation of work in the 20th century*. This approach conceptualizes organizational managers as controlling agents who serve the economic imperatives as imposed by capitalist market relations. Managerial control is thus the focus of management activity (Bratton, et al., 2007). According to this perspective, organizational structures, policies and employment strategies are instruments and techniques of control of the labour process; the aim being to achieve high levels of productivity with attendant levels of profitability. The control perspective views work organizations as hierarchical structures in which workers are deskilled by new technology and scientific innovation.

This study anchors on these theories because of its commonality of interest protection. For instance, while discontents arise because of divergence and incompatibility of interests, competition for scarce resources and the exploitative and unjust human societies that manifest in frustration, as espoused by conflict theories, agency theory on the other hand, is premised on suspicion and lack of trust, so that the formulation and implementation of labour policies by the government is to monitor and control performance of the workforce. To the extent that most policies are made without recourse to inputs by staff (agents), disputes are bound to occur which may affect morale, absenteeism, employee separation and job satisfaction. In similar vein, it can be conjectured that job dissatisfaction, labour turnover and trade disputes correlate with employees' perceptions of equitable treatment (or lack of it) in relation to both the fairness of rewards and the process of its allocations; within and outside the organization.

5. METHODOLOGY

The research design is descriptive. The population is 2,614 drawn from clinical services, nursing services, pharmacy administration/ accounts, and ancillary medical services

departments. Yameni (1963) statistical model was used to select 347 respondents as the sample size used for the study. However, Bowley's Proportion Allocation formular was applied to determine the number of questionnaires allocated to each department.

Face and content validity of the research instrument was established through the help of social and management scientists and as well conflict relational experts. Using

co-relational analysis for consistency the value $r = 0.73$ was obtained. However, principal component analysis was used in the analysis of data to elicit appropriate information. From the results obtained only a 12% loss of information was observed. The principal component analysis in table 1 explains further.

Communalities indicate the amount of variance in each variable that is accounted for.

Table1
Total Variance Explained

Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	1.474	36.839	36.839	1.474	36.839	36.839	1.436	35.896	35.896
2	1.187	29.678	66.517	1.187	29.678	66.517	1.225	30.621	66.517
3	.957	23.933	90.451						
4	.382	9.549	100.000						

Extraction Method: Principal Component Analysis.

Extraction communalities are estimates of the variance in each variable accounted for by the components. The communalities in this table 1 are all high, which indicates that the extracted components represent the variables well. In order words the relational analysis made is not spurious.

CONCLUSION

Policies are pervasive and are usually made to cover the entire gamut of organizational activities and dynamics. In this study, the place of policies was explored in relation to workers discontent. Specifically, the study examined the national outsourcing policy with a view to determining how these policies may be responsible in activating employee's discontent.

Part of the observation is that though the policy may have achieved some of the intended objectives and goals, inadvertently or through the spurious applications, the policy considered has resulted in some degree of job dissatisfaction, lowered employee morale, increased the rate of labour turnover as well as the penchant for and incidence of labour unrests.

RECOMMENDATIONS

With a view to improving the efficiency of public policies, their acceptability and administration and bearing in mind that policies are made for men, it is recommended that:

- 1) A sufficient intelligence gathering should precede all public policies especially those that have the potency of destabilizing the socio-economic conditions of the environment.
- 2) There should be appropriate guidelines for policy implementation. These guidelines should be

specific and not colored in ambiguity so as to avoid misinterpretation and misrepresentation with possible consequence of lost of or reduction with respect to employee commitment.

- 3) All public policies should be publicized and properly communicated to all those who are to be guided by it.

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