



Casualization and the Dilemma of Labour Unionism in Selected Industries in Rivers State

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ABSTRACT

The study investigated the casualization of workers and labour unionism in selected industries in Rivers State. The research employed the survey design where 1494 workers were sampled consisting of management staff, full-time staff and casual workers drawn from selected industries. The questionnaire instrument was used to collect data from the respondents. Data was analysed using simple percentage, and descriptive statistics while the chi-square (X^2) analytical tool was used to test the study hypothesis at 0.05 significance level. The result revealed that non-inclusion of casual workers in labour unions results in feeling of marginalization and impedes workers job satisfaction. The study also demonstrates that the feelings of marginalization, resentment and discord among workers portends grave danger to future harmonious industrial relationships. The study thus hence proposed amendments in the Labour Act, especially the on-criminalizing casualization of workers beyond six months of probation or forced redundancy after three months.

Keywords: Casualization, workers, labour unionism, Labour Act

INTRODUCTION

Our expectations from trade unions in the next decade or two is becoming pale to the hopes and aspirations of most causal worker around the globe. There a deep sea of doubts on the sustenance of their solidarity and continuation of their membership as large pressure organizations representing the full diversity of today's world of work, thus, they may resign to representing a small, protected minority. Taking a glossary look at the decline of recent unionism in the past decades one would doubt how well labour unions would bounce back and be as relevant to labour relations in the "Digital Age" as they were in the Age of Industry? A cloud of uncertainty hangs over the future of trade unions. This is part of what has motivated the ILO to launch its Future of Work Centenary Initiative, in particular "the fear that the direction of change in the world of work is away from, not towards, the achievement of social justice". The decline of jobs in manufacturing and the rise of various forms of non-standard and flexible work, through subcontracting and outsourcing in much of the developed world and the persistence and growth of the informal economy in developing countries, have caused union density rates to fall in nearly all countries worldwide. Collective bargaining coverage in many parts of the world is perilously low and on a downward trend (Visser, Hayter & Gammarino, 2015). Trade unions still count among the largest voluntary organizations in the world. Covering 150 countries, with up to 519 million employed union members, 214 million if we leave out China and a few other countries, where workers' freedom to join the union of their choice is questioned. The International Trade Union Confederation (ITUC) claims 207.5 million members in 331 affiliated peak federations in 163 countries and territories. A movement that is not exactly small or near death. Yet for some time now, nearly all trends in unionization have

pointed in the wrong direction and “there is no evidence on whether a recovery from the crisis of unionism or the maintenance of the status quo of trade unions will be witnessed in the future (Avdagic & Baccaro, 2016). Visser (2019) perceived four possible futures for the world of work namely; (1) Gradual marginalization of trade unions through the continuation of present trends with decreasing rates of unionization and trade unions becoming less relevant or powerless in shaping the newly emerging labour markets. This can be interpreted as the result of a relentless process of liberalization and freeing capital from its dependence on labour, national states and international commitments. (2) Dualization of union representation and policies. Rather than gradual deterioration, unions will defend their positions and resist where they are currently strong (large firms, skilled and craft workers in industry and logistics, professionals in the public sector and social services). Under conditions of the increased instability of work, this implies a sharper distinction between unionized and non-unionized firms and a smaller share for the former. 3) Replacement. Unions will gradually give way to other forms of social action and representation, based on legislation (minimum and living wage guarantees, wage panels, works councils, productivity boards, arbitration and review bodies), employers’ initiatives (employee involvement, ethical codes, participation and sharing models), business models (law firms, intermediating labour agencies, consultants) and more or less spontaneous, intermittent forms of social and community action. 4) Revitalization. Unions will find ways to strengthen existing practices of trade union renewal, reverse the current trend, rejuvenate, expand beyond their current membership base and succeed in organizing parts of the ‘new unstable workforce’ in the digital economy.

With these assumptions conflicts between employers and workers or the workers’ union have remained incontestably the character of all industrial relationship attracting both constructive and unbeneficial attentions from several organizational studies or researches. To address the underlying grievances, and the changing nature of conflicts within the industrial settings have often been a major leadership challenge in all most all organizations. Most often this leads to losses in productive hours, with dire financial consequences. However, what is most unequally irreverent is the sustained practices and inequality in the overall process of work relationship and treatment of casual workers. The origin of casualisation of workers as employment practice dates back to the dock workers practices in Britain in 1920s, where the use of casual labour was the norm for unskilled workers. Later development, have shown that this nonconforming work relationship has expanded beyond individual skills and expertise to embrace disruptive labour actions across industries (Encyclopedia of Marxism, 2007).

A cursory look at this labour practice and the situation a casual worker finds himself today, would suggest a cleaved vulnerability as a result of their social position and acceptance to the terms of engagement. Sadly, the barriers challenging the emancipation of casual workers and undermining harmonious working relationship with work, and coherency of the labour unions in their fight against unjust labour practices. The reason being, by the job status of a casual worker and terms of engagement, they do not have job security or entitled to pecuniary benefits associated with work, neither are they allowed to join any labour union and thus deliberately alienated from other workers by categorising them as ‘casuals. The result of this infraction in the labour act, is workers being engaged for indeterminable period of time ranging from 3 years to 10 years without being regularised and without hope of a future to their energy been invested to the overall industrial development of a workplace.

The pervasive nature and index of joblessness that is constantly brewing stark desperation by job seekers to take any job offer on the table without due diligence to their labour rights been protected tend to create impression that such workers would be imperilled to any form of workplace marginalization. The recent, inhumane and unacceptable working conditions of casual workers in Nigeria Agip Oil Company (NAOC), and INTELS Port Harcourt, could suffice to indicate the temporality of marginalization of casual workers in most industrial settings in Rivers State and Nigeria. Several works have been done on impact of casualisation of workers on industrial relations Danesi (2011), Fapohunda (2012), Sholokwu and Olori (2016), yet, there is a dearth of theoretical and empirical data on the impact of casualisation of

workers and exclusion from labour unionism. This study hence addresses the question of how exclusion of casual workers from labour unionism affects industrial relations in selected industries in Rivers state.

Research Hypothesis

The study is guided by the following research hypothesis:

Ho: There is no significant association between job status and lack of membership of the union of casual workers, and how it affects their morale in selected industries in River state

Literature Review

United Nations Special Session (2000) report attributes casualization of employees practice to current trend of globalization and its corresponding open market economy that picked up momentum in the 1980s, found the trade union movement at national and international levels unprepared. Denja Yaqub cited in Onoshevwe (2003) contends, *companies want cheap labour while they make high profits, they prefer to use casual workers who they will pay peanuts and at the end of the year to declare high profits.* Secondly, the increase in business activities and spread of Transnational Corporations in what has become a borderless world, meant a change in structure of organisations and deregulation of labour market, with emphasis on labour flexibility and increase in peripheral employment, through a cascade of sub-contracting. The World Development Report (1995), traced casualization and other forms of labour flexibility, to changes in development strategies; as centralized economic systems are abandoned, government all over the world increasingly sought for ways to improve their global economic competitiveness. rather than shield them behind protective walls.

International Labour Organisation (ILO) points out that

the economic liberalization and deregulation by governments, together with efforts by the private sector to minimize production costs and enhance international competitiveness led to a more flexible workforce and the casualization of employment. To reduce the fixed cost of labour, employers have increasingly resorted to substituting permanent full-time wage and salary earners with fixed wages and fringe benefits by various types of non-regular workers...or production workers in sub-contracting or putting out systems, as non-regular forms of employmentdo not offer non-wage benefits, and are outside the coverage of standard labour legislation (ILO, SEAPAT).

Mashishi (2000), also attributes casualization to globalization. He opines that the globalization trend, of profit accumulation propelled initiative, placed the working people in a precarious situation;

Workers are the first victims..... the all-important profit margins means that thousands of workers are retrenched everyday all over the world... replaced by casual labour; workers with no benefits and no job security...

Nwachukwu (2002) and Amaechi (2002), relates casualization of work practices to advancement in technology, which resulted in displacement of manual. In order words, increased automation in factories, shift of manufacturing jobs to service jobs, and growth in information technology, demands for lesser skilled employees whose engagements are more temporary in nature.

Within this contention, is argument that technological changes and global throat-cutting marketing competition, impinge on employers to take drastic decisions, bordering on economic survival, which makes labour market flexibility imperative for businesses, that intends to keep its shops running. More so, with unfettered access to pool of unemployed, the employer's commitment to the workforce in terms of tenured job, is drastically reduced. Gray (1995) in a Paper *Flexibilization of Workforce*, points out that deregulation of labour market, is now seen as an important way of reducing wage pressure at any given level of employment. Flexibilization policy in Britain led to the introduction of annualized hours, temporary contracts and multi-skilling to meet the so-called 'convergence criteria'. Unfortunately, workers were losing guarantee of job security, the reason being that, flexibilization of the workforce implies flexibilization of the unemployed, demands a change in attitude and expectations of the unemployed were required, to induce them to take low paid jobs than remain unemployed. In other words,

the major objective of flexibilization strategy, is to create more difficult environment for worker's demand for improvement or

defend the existing conditions. Even, where flexibilisation does not involve a direct attack on trade union rights, the stricter discipline imposed on the unemployed, if they have no long-term job security, makes them more fearful of refusing a job and existing workers more fearful of losing one.

Describing the status of a worker under casualization, Duru (2001), posits that under casualisation, a worker is engaged by the organisation to carry out specific functions. The worker is paid a fixed daily wage rate at a pre-determined time. It could be daily, weekly or monthly. The casual is not entitled to any social benefit from the organization and is in most cases not allowed access to the company's canteen and hospital services. He could be hired and dumped anytime the employer wishes and worst still, denial of membership to the union.

Morris (2001) clarifying the situation further, drew attention to the current trend in the labour practice;

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

Studies, also show that most industrial establishments in Nigeria, have continued to use casual workers in permanent job positions, as a practical option, as well as socio-economic necessity to cut costs and remain competitive and sustain profit. In such cases, a 'casual' may have the same work hours as permanent staff, but he entitled to less salary, with no pension and insurance coverage as well as other severance package for full-employed staff (Abd-Khaliq, 2018). According to Ogbeifun (2000), besides being a cost curtailing measure, casualisation of workers has become a tool by employers to also cow workers in accepting any condition of service placed on the table. To achieve these objectives workers are often lured into retirement with juicy pay-offs and re-engaged as casual or contract staff.

Explaining the plight of workers in the oil industry Ogbeifun states,

often these workers are forced to resign from a company and paid off, then re-engaged as casuals without right to belong to a union in the same company. In such cases the contract entered into is reduced to a yearly package and workers are denied all forms of benefits like Job security, Promotion, Retirement, Pension benefits and medical services.

Luwoye (2001), reasserts that casualisation of labour is a weapon, employers used in the last few years to weaken labour organisation and drive down wages. Casualisation, normally involves replacement of full-time jobs with pension, sick pay and holiday rights, with part-time workers who are commonly employed, on weekly basis and have a few or no rights. Litler and Salaman (1984) cited in Haralambos and Holborn (2004) hinges casualisation of workers on desire for profit maximization. Hyman (1984) cited in Haralambos and Heald (1980), in what he called "coercive pacification" of the work force, infers that as changes were made in trade union law, increasingly rate of unemployed, weakened the bargaining power of workers, so that they had little choice but to cooperate with management, to accept their demands, if they can be replaced easily and have little chances of finding a new job if sacked.

Although reasons for emergence of casualisation of employees have continued to generate diverse views as contained in ILO; SEAPAT; Nwachukwu (2000); Amaechi (2002); Gray (1995); Haralambos and Holborn (2004); Luwoye (2002); Duru (2003), among others, particularly its impact on industrial relations, the economic factors that influenced its widespread, has not reduced fears of its subterranean effects on harmonious relationship between permanent and casual workers, management and workers representatives.

METHODS

The study adopted the survey research design based on the fact that the technique was considered more appropriate in explaining the views, attitude and perceptions of respondents with regards to the findings of a study of this nature. The study locale was Rivers State with Port Harcourt as its capital city. The interest for the study locale was based on oil-rich multinationals and the labour relations with wide demographic spread of people from all walks of life who visit the State for jobs and business opportunities. Secondly, the choice of Rivers State also stems from recent industrial unrests and agitations by workers and their unions in many organisations over casualization of workers. The population size of the study was drawn from four selected industries namely; Integrated Logistics Services (INTELS), International Breweries Limited (PABOD), First Bank Plc, and Nigeria Agip Oil Company (NAOC) with combined population of 1,494 respondents based on personnel records of the establishments (2016). The study employed both the probability and non-probability sampling techniques, using the simple random, purposive and stratified sampling techniques to include Management Staff, Permanent Staff and casual workers in the sample. The reason for this was to ensure that each unit element or stratum in the four industries were given equal opportunity to be included in the sample, since we cannot cover the entire population. Stratified sampling provided us extra method of representation by first identifying characteristics of the population in terms of sex, age, marital status, educational status, nationality, job status, years of employment of the respondents. To arrive at the required number of respondents required, systematic sampling was used in selecting responses of every '5th' subject or item from serially listed population sample or unit. For instance, every '5th' respondent was selected from the sample after a random start, where 'n' is any number determined from the population. For example, obtaining a systematic sample of 100 from a population of 500, we proceeded as follows: We numbered the items serially up to 500. Divided the 500 by 100 i.e., $N/n = 500/100 = 5$, then we randomly selected a starting point, say number '5' in the population list. With list of the 3,500 subjects in the sampling frame, we move to the starting point, and select every 5th response on the list until the sample size is reached.

Against this background, 651 respondents (43.6 %) were drawn from INTELS, International Breweries had 230 respondents (15. %), First Bank Plc 51 respondents (3.4 %) and Nigerian Agip Oil Company 562 respondents (37.6%), thus enabling the study arrive at a sample size of 1,494 respondents. Among these respondents are males 936 (62.7%), females 558 (37.3%), age categories of 18-25 years 148 representing 9.9%, 26-35 years, 994 making 66.5%, 36-45 years 352 summing up 23.6%. in the marital status index, Single comprises of 833 representing 55.8%, and married 661 signifying, 44.2%. On educational status, those with Primary education level were 42 making 2.8%, Secondary education level had 206 signifying 13.8%, and Those with Tertiary education qualification 1240 representing 81.3%. Further breakdown shows 1416 representing 94.8% are Nigerians, while 78 making 5.2% are non-Nigerians. On job status, Management staff was 151 showing 10.1%, permanent staff 523 representing 35.0%, casual worker 840 signifying 54.9%. On years of employment, 432 respondents representing 28.9% have been in the employment for 3 years, 509 making 34.1% for 4 years, and 553 representing 37.0% above 4 years.

The statistical formula employed in determining the sample size, enhanced the empirical generalization of inferences and drawn conclusion from the survey, from where the study sample size was generated. The study fundamentally relied on primary and secondary sources in generating data. The study employed quantitative instrument of data collection using the structured questionnaire schedule and observations. The Secondary data were sourced from existing literatures, Newspapers, Magazines, ILO Publications, journal articles, unpublished works related to the subject matter and related information either as hard or soft from the internet. The main instrument for data collection was the Questionnaire, which was administered in the four selected industries. The questionnaire comprises of two parts, A and B. Part 'A' titled Biodata sought to elicit the background variables of respondents, such as age, sex, marital status, nationality, job status and years of service. While Part B consist of organizational related questions on casualization of workers and industrial harmony which was responded to by the respondents, which include, forms of the organisation's production process; its welfare and general condition of service

problems encountered by the organisation etc. Close-ended questions was used to ensures that data from responses are standard and can be compared from one respondent to another.

All data gotten from the survey with encoded fixed questions were sorted out and subjected to statistical analysis using Statistical Package for the Social Sciences (SPSS) software. The statistical techniques used to analyze the data included descriptive and inferential techniques. The descriptive part were percentages and frequencies. The inferential part was the Chi-square (X^2) test of association. What informed the use of these methods are the objectives of the study and the nature of data collected. The data collected were qualitative (categorical) data and the tool for qualitative data analysis in the case of association between categorical variables is Chi-square test of association. Also, the percentages and frequencies are tools for summarizing categorical data.

RESULTS

The study examined the association between job status and Lack of membership of the union of casual workers, and how it affects their morale. Several questions which were posed to elicit the needed responses on the subject are presented below.

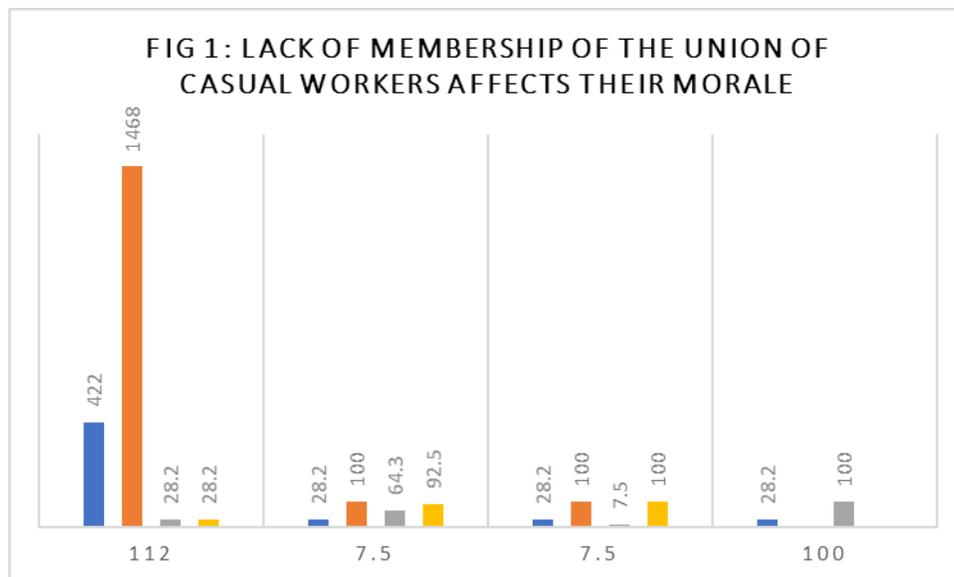


Figure 1 shows that out of the total number of respondents who responded to this question, 934 (64.3%) agreed that lack of membership of the union of casual workers affects their morale, 422 (28.2%) strongly agreed, while 112 (7.5%) disagreed.

Table 1: Do you think the union is doing enough to protect the interests of all workers?

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	233	17.3	17.3	17.3
Disagree	1235	82.7	82.7	100.0
Total	1468	100.0	100.0	

Table 1 shows that out of the total number of respondents who responded to this question, 1235 (82.7%) disagreed that the union is doing enough to protect the interests of all workers and 233 (17.3%) strongly disagreed.

Table 2: Regularization of all workers will reduce union/management disagreement.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Agree	114	8.0	8.0	8.0
Agree	702	48.1	48.1	56.1
Disagree	652	43.9	43.9	100.0
Total	1468	100.0	100.0	

Table 2 shows that out of the total number of respondents that responded to this question, 652 (43.9%) disagreed that regularization of all workers will reduce union/management disagreement, while 702 (48.1%) and 114 (8.0%) agreed and strongly agreed respectively.

Table 3: Would you consider leaving your present place of work?

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	186	12.4	12.4	12.4
Strongly Disagree	61	4.1	4.1	16.6
Disagree	1221	83.4	83.4	100.0
Total	1468	100.0	100.0	

Table 3 shows that out of the total number of respondents who responded to this question, 1221 (83.4%) disagreed that they would consider leaving their present place of work, 61 (4.1%) strongly disagreed, while 186 (12.4%) agreed.

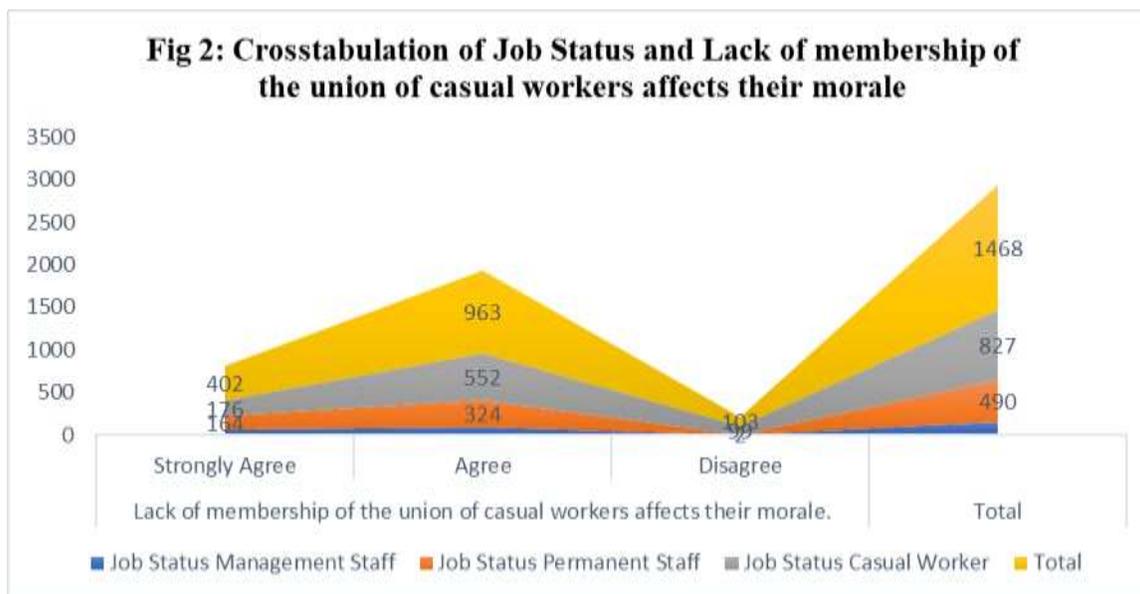


Figure 2 shows that most of the workers, especially the casual workers, strongly disagree that denial of workplace benefits to casual workers does not affect their relationship with other workers. However, the test below will show if this is significant or not.

Test of Hypothesis

Ho: There is no significant association between job status and lack of membership of the union of casual workers, and how it affects their morale in selected industries in River state

H_A: There is a significant association between job status and lack of membership of the union of casual workers, and how it affects their morale in selected industries in River state

Decision Rule: We will reject the null hypothesis if the p-value is less than the alpha, otherwise, we will not. Alpha (α) = 0.05.

Table 2: Chi Square Test for Hypothesis 1

	Value	df	Assymp. Sig. (2 – sided)
Pearson Chi Square	102.027	4	0.000
N Valid of Cases	1468		

Asymptotic significances are displayed. The significance level is .05

Source: Author’s Computation Based on SPSS Output.

Decision

Since the p-value (0.000) is less than the alpha (0.05), we reject the null hypothesis and conclude that there is a significant association between job status and Lack of membership of the union of casual workers, and how it affects their morale. Based on the above result, the study findings reveal that denial of casual workers to join unions affects their feeling of worth and dignity of work. However, with the backdrop of the union unable to protect the interest of workers against abusive employers, and the twin devil of casual workers prohibited from joining unions, they are constantly denied their right to seek for retribution in case of work place abuses, neither are they entitled to be compensated in cases of workplace accidents. However, studies have also shown that this labour strategy is often targeted at unions as Onyeonuru (2003) pointed out, the target of casualization of workers is the labour unions, as it was meant to reduce union influence to the barest minimum or union role as a major player in employment relation. This is why Ogbeifun (2000), contends that casualisation of workers as a strategy by employers to cow workers in accepting any condition of service as may be desired by employers. With massive employment of casual workers and decline of full-time workers, the unions are denied the strength they need to fight against anti-labour practices, often making it difficult for management to anticipate the direction of worker’s grievances and reaction.

CONCLUSION

With the study revelation that though casualization of workers has become an integral part of employment relations in industries in Rivers State and tend to reduce cost in running the human side of these enterprises, the feelings of job uncertainty, lack of access to peculiar benefits by the worker and a segment of the workforce, exclusion of the casual workers from the union and by extension the collective bargaining proceeds and categorization of workers into *core* and *periphery*, have continued to expand the landscape of marginalization, resentment and discord among workers, which portends grave danger to future harmonious industrial relationships.

RECOMMENDATIONS

The study proposed amendments in the Labour Act, especially the on-criminalizing casualization of workers beyond six months of probation or forced redundancy after three months. This would help serve as industrial sanction to the poor labour practices and encourage the outright propositions of legal sanctions or outright closure of firms that refuses to regularize the jobs of casual workers within 6 months to 1 year on-the-job as a deterrence and a protective measure on the citizens from harmful labour practices.

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