

The Implementation Of The 2011 Minimum Wage Act: A Study Of The Strategies Adopted By The Anambra And Imo State Civil Service

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ABSTRACT

This study is on the Implementation of the 2011 Minimum Wage Act: A Study of the Strategies adopted by the Anambra and Imo state civil service. The objective of the study is to examine the strategies adopted by the Anambra and Imo state governments in the implementation of the 2011 Minimum Wage Act and its effect on the level of the implementation of the Act. The survey research design was adopted for the study and data were obtained through primary and secondary sources. The population of the study consists of the civil servants of the two states. Generated data were collated and analyzed using descriptive statistical tools. Findings show that there is a commonality of opinion of the respondents of the respective states that the strategy adopted by the state governments - the redesigned minimum wage package affected negatively the implementation of the 2011 minimum wage Act. Respondents from Anambra State Civil Service were of the view that inadequate financial resources was the major challenge of implementing the 2011 Minimum Wage Act, while respondents from Imo State Civil Service affirmed that the absence of compelling clauses that will create an obligation for the implementation of the minimum wage Act is the most crucial challenge. Drawing from the findings we recommend, that the financial disposition of individual states should be taken into cognizance in the fixing of National Minimum Wage Acts. That there is a need for a legislative backing and compelling clauses in the constitution including adequate monitoring mechanism that will create the obligation for the implementation of the Minimum Wage Acts. Sequel to that, there should be social dialogue and consultative meetings among the stakeholders. This could be achieved through the involvement of active social partners (Nigerian Labour Congress (NLC), Trade Union Congress (TUC) and National Employers Consultative Association (NECA) in both the design and enforcement of minimum wage Acts.

Keywords: Minimum Wage, Minimum Wage Acts, Civil Service

INTRODUCTION

Minimum wage, which relates to some legal restrictions on the lowest wage rates payable by employers to their workers, has influenced wages in Nigeria. Successive governments have set minimum wages for all kinds of occupations/trades, especially the ones that can be considered formal. It is worthy of note that National Minimum Wage has been one of the most contentious and worrisome issues in Nigeria. The history of government wage review in Nigeria is as old as the history of the nation's minimum wage. More often than not, whenever the minimum wage is set, it affects other levels of wages/salaries in Nigeria. In recent years, the federal government has formulated legislations that sought to increase the prevailing minimum wage and other levels of pay. However, the issue of proper implementation of these minimum wage acts remains contentious, thus, resulting in consistent disagreements between labour and employers and worse off, the expression of displeasure by the labour.

Okafor and Aniche (2011) observed that where agreements are reached with government, they are often distorted at implementation level. For instance, the 2000 Wage Review Agreement provided for 25 per cent wage increase with effect from May 1, 2001 and 15 per cent wage increase in May 1, 2002, government never implemented this agreement and this was responsible for most of the strikes in the country (NLC, 2009). This situation was made more complex following the series of strikes that trailed workers agitation over the non-implementation of the 2011 minimum wage Act. The more confusing issue was the statement credited to His Excellency Peter Obi, the governor of Anambra state during such agitations. According to him, the on-going labour crisis was externally manipulated by those who did not wish the state well, as Anambra was one of the few states that commenced the implementation of new minimum wage in August in line with Minimum Wage Act.

Contrarily again, the then commissioner for information Anambra State, Chief Maja Umeh stated that Anambra will obey the law on minimum wage but, will require an improvement in her IGR and federal allocation. Buttressing his stand, he said that the present wage bill with the ₦7,500 minimum wage paid workers stood at ₦1.2 billion and required more than ₦3 billion to be able to implement the minimum wage. The claim by the Anambra State governor on one hand regarding already compliance to the new minimum wage and the contradiction by the commissioner for information on the other hand on the same subject matter, evokes verification of the level of compliance to the implementation of the 2011 National Minimum Wage Act in Anambra State. In line with the above arguments, the notion that agreement reached with the government could sometimes be distorted at the implementation stage or even not implemented at all by the government generated great curiosity to the citizenry.

In the case of Imo state, Eme & Ugwu (2011) assert that in 2011, Governor Rochas Okorocha was the first to promise the implementation of the National Minimum Wage. As days went by civil servants became agitated for more money like the Israelites in the wilderness, but surprisingly, the state government turned round to say that the demand of civil servants was most unrealistic in view of the peculiar financial position of the state. The state government claimed that labour was demanding 90.4% wage increase across board which would shoot up the state's wage bill from ₦2 billion to over ₦3 billion monthly if implemented. On 25th September 2011, the stake holders (Nigeria Labour Congress, Trade Union Congress and the Imo State Joint Public Service Negotiating Council) agreed on 25th September 2011, to work out modalities and develop a salary table with labour for the implementation of the new minimum wage of ₦18,000 across board. The question of implementation of the said minimum wage act in Imo State remains unanswered.

Unfortunately, various literature have not provided a clue as to the strategies adopted by state governments in the implementation of the 2011 minimum wage Act in Anambra and Imo states civil service as well as the challenges to the implementation of the Act in these states hence, the objectives of this study is to:

- i. Comparatively examine the strategies adopted by each state for the implementation of the 2011 Minimum Wage Act in the civil service of the states under study.
- ii. Comparatively examine the challenges to the implementation of the 2011 National Minimum Wage Act in Anambra and Imo state civil service.

LITERATURE REVIEW

The Concept and Nature of Minimum Wage

Fapohunda, Atiku, and Lawal (2013) defines minimum wage as the smallest hourly wage that an employee may be paid as mandated by Federal laws. The International Labour Organization -ILO (1992) defines a minimum wage as the minimum sum payable to a worker for work performed or services rendered within a given period, whether calculated on the basis of time or output, which may not be reduced either by individual or collective agreement, which is guaranteed by law and which may be fixed in such a way as to cover the minimum needs of the worker and his/her family, in the light of national economic and social conditions. Minimum wage is a wage which provides a floor to the wage structure in order to protect workers at the bottom of the wage distribution. ILO (1992) emphasized that minimum wage is the rate of pay fixed either by a collective bargaining agreement or by government enactment as the lowest wage payable to specified categories of employees. It is the wage rate established by collective bargaining or by government regulation / legislation specifying the

lowest rate at which workers may be paid. A legal minimum wage therefore is one mandated by government for all workers in an economy, with few exceptions. Being typically established by contract or legislation by the government, it is thus, illegal to pay an employee less than the minimum wage.

The minimum wage as articulated by the International Labour Organization (ILO) Ethical Trade Initiatives (ETI) is a wage that allows a worker to provide for him and his family, to buy essential medicines, send children to school and to save for the future. The Fair Labour Standard Act (1938) of the United States of America defines minimum wage as the minimum hourly rate of compensation for labour as established by federal statute and refined by employers engaged in businesses that affect interstate commerce. Nwude (2013) sees a minimum wage as the lowest hourly, daily, or monthly remuneration that employers may legally pay to workers or the lowest wage at which workers may sell their labour. It connotes the amount that can fetch an entity a good living standard.

Minimum wage constitutes a level which may not be undercut, and whose application is guaranteed by law. It excluded certain bonuses or benefits and is payable, in cash or in kind, directly or indirectly by the employer to the worker for work performed by the latter. It often does not apply to certain types of workers (e.g. those working less than a certain number of hours) or to certain activities (Onyekwelu, 2021).

The minimum wage legislation is a very important criterion in the payment of wages. The premise of this criterion according to Imobighe (2007) is that by the introduction of minimum wage, the exploitation of weak, ill-informed or isolated groups of individuals will be prevented. The minimum wage will also afford employees more comprehensive protection than is available through the existing voluntary bargaining machinery.

Thus, the objective of minimum wage fixing, as set out in International Labour Organization Minimum Wage Fixing Convention, 1970 (No.131) and its accompanying Recommendation No. 135, is to give wage-earners the necessary social protection in terms of minimum permissible levels of wages.

However, it is evident that a country might have a minimum wage backed by law while in terms of real value it may be worth nothing. The value might have depreciated especially in an economy marked by frequent uncontrolled inflation.

Strategies for Minimum Wage Implementation

There are certainly both conceptual and empirical problems with respect to the framework for minimum wage implementation in Nigeria. With respect to Minimum Wage, items 34 of the 2nd schedule give the National Assembly power to “prescribe a national minimum wage for the federation or any part thereof.” The power to ‘prescribe’ as quoted above implies that the National Assembly lacks the authority to enact a minimum wage Act that would impose obligations to pay on other employers of labour. The prescription of a national minimum wage therefore becomes a mere authentic guide and not an obligation to be carried out. The absence of compelling clauses that will create such an obligation for the implementation of minimum wage is a major challenge to minimum wage implementation in Nigeria.

More importantly, there is absolutely no provision in the law specifying strategies or mechanisms with which to ensure comprehensive enforcement of the minimum wage law by state governments. This is more of the reason the various state governments are hell-bent on implementing different versions of minimum wage without any compelling legal framework that would ensure a harmonized implementation as the law stipulates.

According to Benassi (2011), there exists a variety of approaches to implementing minimum wage laws, examples of which can be found in countries at almost any stage of development. These strategies/approaches or mechanisms ranges from, “soft approaches such as persuasion and education to the hard strategies of legal enforcement”. Some of the most common strategies that are adopted for implementing the minimum wage will be described in context.

i. Persuasion

This strategy implies the construction of persuasive arguments in favour of the minimum wage and the appeal to common values and beliefs such as the principle of fair pay-fair play. Creating a so called culture of compliance among employers is a low-cost strategy for facilitating the self-enforcement of minimum wage (Skidmore, 1999). In persuasion, two main strategies for building

commitment among employers can be identified: persuasive processes at the interpersonal level (open and frank discussions) as well as persuasion at a societal level through a supportive public discourse—a situation where employers who do not comply need to be presented to the wider society as cheaters (Braithwaite, 1985; Ayres and Braithwaite, 1992).

ii. Minimum Wage Setting and Common Rule Interpretation.

This strategy highlights the importance of regulatory framework discussed and understood by the actors involved (Benassi, 2011). This is a way to avoid non-compliance due to rule ambiguity and as the actors have previously agreed on them. Shared rules are more likely to be complied with rather than top-down regulation.

A participative process of minimum wage setting allows the minimum wage to be set at a level on which worker's and employers' representatives have agreed. Ideally, the minimum wage would first be the outcome of a consensus-oriented consultative bargaining process between social partners and then it would be institutionalized by the government. Employers should thus be more ready to comply with it rather than in the case where the minimum wage is fixed through top down approach by the government. Also, a tripartite decision making process can facilitate the common interpretation of the minimum wage law, thus avoiding misinformation and confusion among workers and employers.

iii. Information and Capacity Building

Clear information and correct understanding of the minimum wage are necessary for compliance. This is because a strong consensus based minimum wage regulation still requires much knowledge and capacity building to ensure it is effective. The government as well as employers' organizations and trade unions can run information campaigns targeting the wider society, employers and workers. Also, training/seminar on issues related to minimum wage should be organized for employers and workers. For employers, such trainings prevent the under payment of wages due to ignorance (whether real or feigned) of the minimum wage policy in effect. For workers, training is necessary so that they are not misinformed about their wage rights. In the absence of such knowledge, they are less likely to be aware of their exploitation, thus making the enforcement of their wage rights more difficult.

iv. Monitoring through Labour Inspections

Labour inspections seem to be the main instrument for ensuring monitoring. They are provided by law in almost one hundred countries included in the ILO minimum wage database. Two main problems seem to prevent labour inspections from being an effective implementation and enforcement tool. To Skidmore (1999), the first reason is the fact that labour inspectors are at risk of corruption because they are also often under paid. Secondly, labour inspections are costly, and governments do not invest enough funds for financing them. Employers also consider monitoring structures a cost burden and are not ready to commit to their financing (Gaiha, 2005; Skidmore 1999). Also labour inspections are often understaffed, unequipped and untrained (ILO, 2006). However, measures can be taken to remedy these problems as could be seen from what the Brazilian government and United Kingdom did (anti-corruption measures and the strategy of prioritization) (Low Pay Commission, 2009; Weil, 2008; & Almeida and Carneiro, 2009).

v. Legal Action

Legal action implies a situation where workers themselves can take individual legal action against an employer (US Department of labour, 2010; low pay commission, 2009). Though this strategy facilitates the enforcement of individual rights, it also implies a considerable risk for the worker and, consequently, a deterrent to denounce the under payment. To forestall this, measures are instituted to empower and protect workers and to offer them incentives to complain (ILO, 2009). In Australia, the option of collective legal action is guaranteed - a situation where workers' organizations can act on behalf of the workers (Fair work Act, 2009).

vi. Legal Sanctioning

In case of violations of minimum wage provisions, fines are provided by law in almost all the countries included in the ILO minimum database. Severe fines are key to the effectiveness of the enforcement system, because only consistent losses represent a deterrent to non-compliance for employers. If rational economic calculations are strictly followed, the costs of non-compliance should outweigh the benefits. In Columbia, for instance, the fine may amount up to 100 times the minimum salary. Depending on the severity of the offence, imprisonment is also a possible outcome in countries like India, Israel and the US (ILO Travail, 2009).

vii. Naming and Shaming and Boycott Campaigns

This strategy represents an underused but probably effective (and cheap) implementation strategy. By making public the names of organizations which pay workers below the minimum wage, serious damage can be done to their reputation. This strategy was chosen by the Indonesian government in the nineties to enforce the minimum wage. Non-compliant companies were blacklisted and their names were made public. In order to be dropped from the list, companies needed to publicly confess their guilt and pledge for apology (Rama, 1996).

viii. Transparency

Making the implementation process of minimum wage more transparent is an effective strategy for fighting potential collusion between inspectors and employers.

According to Galgoczi, Keune and Watt (2006) Pedersni (2006) and NGG (1999) a list of other strategies for effective implementation includes, making complaint procedures easily accessible and available; exclusion of employers from public and private credits, change in the process of minimum wage setting and social labelling.

On the other hand, the ILO (2008) draws attention on the need for a legislative backing of the minimum wage act in order to ensure effective compliance. This is because without the ability to enforce the process, the efforts towards pinning down a given minimum wage package would amount to futile venture. Minimum wage act must therefore be supported with effective enforcement mechanism, appropriate penalty for offenders and compensation to workers whose rights have been violated. Imposition of sanctions, penalties for violators and institution of other legal processes to ensure that adequate compensation for workers whose rights have been breached must also be adopted and enforced as timely as possible.

Challenges to Minimum Wage Implementation

Kester (2006) observes that Nigeria has no definite wage determination or implementation policy, hence the industrial relations system has been witnessing a spate of industrial unrest and tensions at every attempt to adjust wages and over the years, issues relating to wages have dominated industrial disputes and strikes in the Nigerian economy.

Placing the impact of market volatility on Minimum wage implementation in Nigerian, Owoye (1994) opined that minimum wage increases in Nigeria do not match up with the rate of increases in prices which resultantly leads to agitations from labour unions for persistent wages and salaries increase. He also found that wage increases are always followed by long threats of reduction in government and private workforce, and in some cases, such threats have resulted in massive lay-offs in the civil service.

According to Fapolunda, Atiku and Lawal (2013), there are several challenges to the implementation of the national minimum wage in Nigeria. One is the labour market situation. The labour market situation in Nigeria is such that there are too many people chasing too few jobs. The level of unemployment and poverty in Nigeria is unprecedented. There are huge and unprecedented job losses occasioned by the global economic meltdown; the relocation of companies to other regions because of security crises and the hydra headed power sector problems; the prevalent multiple taxation; security challenges; corruption; terrible conditions of basic infrastructure; the unacceptable high cost of doing business in Nigeria; reforms in the banking, petroleum, public sectors etc.; worsened by the irrational and inhuman responses to these reforms by some employers of labour. In view of such circumstances, the capacity of the Nigerian worker to demand for the implementation of the minimum wage is greatly impaired (Onuegbu, 2010).

Another great challenge to the implementation of minimum wage is the absence of compelling clauses that will create such an obligation for the implementation of minimum wage. The power to 'prescribe' minimum wage as quoted by the law of the federal republic of Nigeria implies that the National Assembly lacks the authority to enact a minimum wage Act that would impose obligations to pay on other employers of labour. The prescription of a national minimum wage therefore becomes a mere authentic guide and not an obligation to be carried out. The enforcement capacity of the Federal government agencies is a challenge. Thus, the payment of minimum wage is often not enforceable as there are obvious loopholes in the constitutional provision for the enforcement of the minimum wage. Also on the issue of lack of the legal backing on implementation of minimum wage, Fapohunda, Atiku and lawal (2012) noted that the issue of legal challenges must be addressed. Without adequate

legal backing minimum wage does not only fail to achieve its aim but also ends up as mere recommendations which are subject to the acceptance or otherwise of the parties.

Economic factors also constitute a challenge to employers' capacity to pay a specified minimum wage. A quantitative assessment of this capacity may be difficult but would include measuring the level of wage payments relative to: other payments, in particular; other labour costs (such as non-wage costs related to the employment of labour) and payments to other factors of production (profits, return on investment, etc.).

Ochie (2012) insists that successful implementation of the minimum wage in Nigeria (like in most other parts of the world) will likely continue to be challenged by a number of factors such as insufficient revenue, incessant call for wage review by civil servants and their inability to justify such demands.

Finally, there is a notion that in a bid to meet with the minimum wage requirements, some states are likely to cut on certain services or even take some unpopular policy decisions. In essence, the backlashes that can result from the minimum wage saga could successfully undermine any benefit that may be accruable from the entire process. An example was the Abia State Government which gave orders that resulted in the sacking of non-indigenes in the state. The practice of sacking of non-indigenes soon became marketable as different states employ that, either as a reprisal exercise or as a strategy for intimidating and holding down workers' demand. A critical issue of attention in the implementation of minimum wage pay is the state governors' stance on the matter. Eroke (2013) writes that nearly two years after the ₦18,000 National Minimum Wage for workers was signed into law, many state governments are yet to fully comply with the new Act. It is ascertained that well over twenty State Governments have practically failed to fully implement the ₦18,000 National Minimum Wage for public sector workers years after the minimum wage bill was signed into law. It is also revealed that many states have tried, in some cases successfully, to renegotiate the modalities for payment of the new wage to civil servants, More worrisome is the fact that the Federal Government, which signed the new wage into law, has not fully complied with the minimum wage act as government has failed to implement the new wage across board to workers under its employ. Rather, what the federal government did was a staggered implementation, by adding about ₦1, 000 each to workers at all grade levels (Eroke, 2013).

Again, and very important too, the cost of living is hardly factored in minimum wage in Nigeria. This view is strongly held by the Nigerian Labour Congress (2009), especially as it establishes the fundamental differential in income and cost of living in various cities in Nigeria. Take for instance, while income and cost of living in cities like Abuja, Lagos, Port-Harcourt, Uyo, Calabar etc are relatively high; such indices in other states such as Jigawa, Benue, Ebonyi, Edo and Osun etc are relatively low. The unhealthy implication of this unavoidable situation on minimum wage implementation is twofold. Whereas the state governments and private employers of labour in high income states (with high cost of living) may have the financial capacity and moral conviction to implement the minimum wage pay, their counterpart in low income states (with relatively low cost of living) may not be willing to do so. Hence, some financially backward states in Nigeria (as well as private employers in these states) have continued to capitalize on this discrepancy to evade full implementation of minimum wage law.

Unfortunately too, there is yet to be enacted a compelling legal framework to ensure a harmonious implementation of minimum wage pay by all states of the federation. This together with the weak institutional and regulatory frameworks is a big challenge to the implementation of the 2011 minimum wage Act (Adewunmi and Adenuga, 2010).

METHODOLOGY

The study adopted the survey research design. Data were generated from the study population based on the responses of a sample drawn from the study population.

The field investigation was carried out in Anambra and Imo state civil service respectively. The population of this study comprised all the civil servants of the two states. Available statistics from the civil service commissions (2017) in the two states put the number of civil servants at twelve thousand, five hundred and thirty two (12,532)...

Given the population of twelve thousand, five hundred and thirty two, the sample size was determined using Krejcie and Morgan's Sample Size formula for finite population (Krejcie and Morgan, 1970).

Data were generated from primary and secondary sources. The questionnaire was the main instrument of data generation. The data generated were collated and analysed using descriptive statistical tools.

DATA PRESENTATION AND ANALYSES

Table1. Responses on the Strategies Adopted By the Anambra State in the Implementation of the 2011 Minimum Wage Act.

S/N	Item	SA 5	A 4	UD 3	D 2	SD 1	Mean	Decision
1	Strong consensus based minimum wage regulation	2	20	0	217	82	1.85	Rejected
2	Redesigned minimum wage package	192	82	2	18	27	4.14	Accepted
3	Minimum wage setting and common rule interpretation	37	8	0	18	27	0.85	Rejected
4	Participative process of minimum wage setting	62	80	2	126	51	2.86	Rejected
5	Consensus - oriented consultative bargaining	6	12	1	202	100	1.78	Rejected
6	Making the implementation process transparent	6	2	0	220	93	1.74	Rejected
	TOTAL	305	204	5	801	380	13.23	
	GRAND MEAN						2.20	Rejected

Source: Researcher’s Field Survey 2022

Table 1 show that items 1, 3, 4, 5 and 6 had mean scores below the criterion mean of 3.0 which shows rejection while item 2 only, had a mean score above the criterion mean. The implication of this is that the Anambra state government as shown in the responses of the respondents redesigned the minimum wage package in line with their unique interpretation of the 2011 Minimum Wage Act. This clearly buttressed the respondents assertion from an interview with key officers on the level of minimum wage implementation which they believed was not implemented as stipulated by the provisions of the Act.

Table 2 Responses on the Strategies Adopted by Imo State in the Implementation of the 2011 Minimum Wage Act.

S/N	Item	SA	A	UD	D	SD	Mean	Decision
1	Strong consensus based minimum wage regulation	0	0	0	260	68	1.79	Rejected
2	Redesigned minimum wage package	318	10	0	0	0	4.97	Accepted
3	Minimum wage setting and common rule interpretation	0	0	0	302	26	1.92	Rejected
4	Participative process of minimum wage setting	0	0	0	316	12	1.96	Rejected
5	Consensus - oriented consultative bargaining	0	0	0	302	26	1.92	Rejected
6	Making the implementation process transparent	0	0	0	261	67	1.80	Rejected
	TOTAL	318	10	0	1441	199	14.36	
	GRAND MEAN						2.39	Rejected

Source: Researcher’s Field Survey 2022

Table 2 above gives additional information on the strategies adopted by the Imo state government in the implementation of the 2011 Minimum Wage Act. Responses from the respondents show that the strategy adopted by the Imo state government was the redesigned minimum wage package.

Table 3 Responses on the Effect of the Strategies Adopted by Anambra State on the Implementation of the 2011 Minimum Wage Act.

S/N	Item	SA	A	UD	D	SD		
1	Enhanced the implementation of the 2011 minimum wage Act in the respective states	3	10	0	232	76	1.81	Rejected
2	Undermined the implementation of the 2011 minimum wage Act in the respective states	81	220	0	18	2	4.03	Accepted
3	Eroded the confidence of workers on the state governments and thus resulted to prolonged industrial strike.	0	0	0	221	100	1.65	Rejected
4	Distorted the regulatory framework for the implementation of the 2011 minimum wage	196	92	0	18	15	4.27	Accepted
	TOTAL	280	322	0	489	193	11.77	
	GRAND MEAN						2.94	Rejected

Source: Researcher's Field Survey 2022

Table 3 above gives additional information on the strategies adopted by the Anambra state government in the implementation of the 2011 Minimum Wage Act. Responses from the respondents show the effect of the strategy on the implementation of the 2011 Minimum Wage Act. From the table, the strategy adopted by the Anambra state government- the redesigned minimum wage package, undermined the implementation of the 2011 minimum wage Act in the state.

Table 4 Responses on the Effect of the Strategies Adopted By the Imo State in the Implementation of the 2011 Minimum Wage Act.

S/N	Item	SA	A	UD	D	SD		
1	Enhanced the implementation of the 2011 minimum wage Act in the respective states	0	0	0	316	12	1.96	Rejected
2	Undermined the implementation of the 2011 minimum wage Act in the respective states	318	10	0	0	0	4.97	Accepted
3	Eroded the confidence of workers on the state governments and thus resulted to prolonged industrial strike.	328	0	0	0	0	5.00	Accepted
4	Distorted the regulatory framework for the implementation of the 2011 minimum wage	306	22	0	0	0	4.93	Accepted
	TOTAL	952	32	0	316	12	16.87	
	GRAND MEAN						4.22	Accepted

Source: Researcher's Field Survey 2022

Table 4 above gives interesting information on the effect of the strategy adopted by the Imo state government in the implementation of the 2011 Minimum Wage Act in Imo state civil service. From the responses, the respondents were of the view that the strategy eroded the confidence of workers on the state government and thus resulted to prolonged industrial strike which lasted for several months. Looking at what obtains in both Anambra and Imo states; one can see that there is a commonality of opinion of the respondents on the strategy adopted by both states in implementing the Act. However, their opinion differs on the effect of the strategy on the implementation of the Act in question. That also may be explained by the fact that the nature of the redesigned package to a reasonable extent determines the nature of the reaction either in favour or against. It is likely that the packages are not the same since each state as shown earlier has a unique interpretation of the Act.

The inference we can draw on this is that the strategy adopted by the states respectively affected the Implementation of the 2011 Minimum Wage Act.

Table 5 Responses on the Challenges to the Implementation of the 2011 Minimum Wage Act in Anambra State

S/N	Item	SA	A	UD	D	SD	Mean	Decision
1	Absence of a definite wage determination and implementation policy	72	82	0	100	67	2.91	Rejected
2	Absence of compelling clauses that will create such an obligation for the implementation of the minimum wage Act.	208	102	0	11	0	4.48	Accepted
3	Inadequate Financial Resources	272	28	0	9	12	4.58	Accepted
4	The capacity of employers to pay the specified minimum wage Inadequate Financial Resources	220	28	0	3	0	3.71	Accepted
5	Lack of awareness of the workers on the provisions of the minimum wage Act.	92	87	0	98	44	3.20	Accepted
6	The assumed effect of the implementation of the Act on the developmental projects of the states	236	76	0	3	4	4.55	Accepted
7	The presence of organizations with a culture of unfair labour practices and miserable wages Labour market situation	62	70	0	101	88	2.68	Rejected
8	Lack of political will of state governments to ensure compliance to the provisions of the Act.	96	225	0	0	0	4.21	Accepted
9	Willingness of the employers to pay the specified minimum wage.	10	12	0	201	98	1.82	Rejected
10	The challenge of non-unionized workers, casual and contract staff	0	0	0	240	81	1.71	Rejected
	TOTAL	1268	710	0	766	394	13.16	
	GRAND MEAN						3.29	Accepted

Source: Researcher's Field Survey 2022

Table 5 above showed that items 2, 3, 4, 5, 6 and 8 had mean scores above the criterion mean of 3.0 indicating acceptance while items 1, 7, 9 and 10 fell below the mean score indicating rejection. However, the grand mean with a value 3.29 is above the criterion mean, which showed that the identified challenges militated against the implementation of minimum wage in Anambra State civil service.

Table 6 Responses on the Challenges to the Implementation of the 2011 Minimum Wage Act in Imo State.

S/N	Item	SA	A	UD	D	SD	Mean	Decision
1	Absence of a definite wage determination and implementation policy	18	12	0	206	92	1.96	Rejected
2	Absence of compelling clauses that will create such an obligation for the implementation of the minimum wage Act.	326	2	0	0	0	4.99	Accepted
3	Inadequate Financial Resources	312	12	0	3	1	4.92	Accepted
4	The capacity of employers to pay the specified minimum wage	306	6	0	6	10	4.80	Accepted
5	Lack of awareness of the workers on the provisions of the minimum wage Act.	200	77	0	31	20	4.24	Accepted
6	The assumed effect of the implementation of the Act on the developmental projects of the states	0	0	0	326	2	1.99	Rejected
7	The presence of organizations with a culture of unfair labour practices and miserable wages Labour market situation	0	0	0	322	6	1.98	Rejected
8	Lack of political will of state governments to ensure compliance to the provisions of the Act.	316	6	0	4	2	4.92	Accepted
9	Willingness of the employers to pay the specified minimum wage.	298	28	0	2	0	4.90	Accepted
10	The challenge of non-unionized workers, casual and contract staff	0	0	0	302	26	1.92	Rejected
	TOTAL	1776	143	0	1202	159	36.63	
	GRAND MEAN						3.66	Accepted

Similarly, Table 6 above showed that items 2, 3, 4, 5, 8 and 9 had mean scores above the criterion mean of 3.0 indicating acceptance while items 1, 6, 7 and 10 fell below the mean score indicating rejection. However, the grand mean with a value 3.29 is above the criterion mean, which showed that the identified challenges militated against the implementation of minimum wage in Imo State civil service.

FINDINGS

In summary the findings are:

- i. There is a commonality of opinion of the respondents of the respective states that the strategy adopted by the state governments - the redesigned minimum wage package affected negatively the implementation of the 2011 minimum wage Act.
- ii. Respondents from Anambra State Civil Service were of the view that inadequate financial resources was the major challenge of implementing the 2011 Minimum Wage Act, while respondents from Imo State Civil Service affirmed that the absence of compelling clauses that will create an obligation for the implementation of the minimum wage Act is the most crucial challenge.

Drawing from the findings we recommend:

- i. That the financial disposition of individual states should be taken into cognizance in the fixing of National Minimum Wage Acts.
- ii. That there is a need for a legislative backing and compelling clauses in the constitution including adequate monitoring mechanism that will create the obligation for the implementation of the Minimum Wage Acts.
- iii. Sequel to that, there should be social dialogue and consultative meetings among the stakeholders. This could be achieved through the involvement of active social partners (Nigerian Labour Congress (NLC), Trade Union Congress (TUC) and National Employers Consultative Association (NECA) in both the design and enforcement of minimum wage Acts.

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