

L.N. 40 of 1977

TRADE DISPUTES DECREE 1976

(1976 No. 7)

**Trade Dispute (Nigerian Union of Hotels, Restaurants and
Night Club Workers and Regent Hotel)
Confirmation of Award Notice 1977**

Pursuant to the provision of section 9 (3) of the Trade Disputes Decree 1976, the Industrial Arbitration Panel Award made on 25th February, 1977, and set out in the Schedule hereto has been confirmed by me, the Federal Commissioner for Labour and shall have effect as so confirmed in accordance with that provision.

SCHEDULE

<i>Name of Arbitration Tribunal, etc.</i>	<i>Terms of Award</i>																																			
Nigerian Union of Hotels, Restaurants and Night Club Workers and Regent Hotel	<p>"The Tribunal hereby confirms the agreement reached by both parties in respect of the dispute and makes award, which, in terms, is as follows:—</p> <ol style="list-style-type: none">(1) That four departments be created covering the following : Administration Reception Restaurant Bedroom and Kitchen, Departmental Heads being appointed in the first instance in acting capacity.(2) That both the Management and the Union agree that it shall be a condition for appointment to the post of Head of Department and his assistant for the incumbent to cease to be a member of the Union.(3) That the following grade levels shall apply to the establishment and to the appropriate posts :<table><tr><td>01</td><td>720</td><td>×</td><td>18</td><td>10 years.</td></tr><tr><td>02</td><td>760</td><td>×</td><td>18</td><td>10 years.</td></tr><tr><td>03</td><td>840</td><td>×</td><td>24</td><td>10 years.</td></tr><tr><td>04</td><td>960</td><td>×</td><td>36</td><td>10 years.</td></tr><tr><td>05</td><td>1200</td><td>×</td><td>6</td><td>10 years.</td></tr><tr><td>06</td><td>1600</td><td>×</td><td>82</td><td>10 years.</td></tr><tr><td>07</td><td>2200</td><td>×</td><td>90</td><td>10 years.</td></tr></table>(4) Shift allowance and Duty Meal allowance— No Award.	01	720	×	18	10 years.	02	760	×	18	10 years.	03	840	×	24	10 years.	04	960	×	36	10 years.	05	1200	×	6	10 years.	06	1600	×	82	10 years.	07	2200	×	90	10 years.
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*Name of Arbitration
Tribunal, etc.*

Terms of Award

Nigerian Union of Hotels, Restaurants
and Night Club Workers and Regent
Hotel

- (5) Management to guarantee the purchase of three cars and three motor cycles on application by the employees.
- (6) That any successful applicant shall repay the loan within three years to be deducted from his salary monthly provided the loan shall not be more than his one year salary.
- (7) That the successful applicant shall cause the vehicle to be comprehensively insured and the use and maintenance of the vehicle shall be his entire responsibility.
- (8) That Management is to pay car basic allowance of ₦25 and motor cycles basic allowance of ₦7.50 per month.
- (9) Acting appointment allowance—No Award.

The Tribunal considers the above terms of settlement as fair and reasonable and accordingly ratifies them."

DATED at Lagos this 14th day of June 1977.

MAJOR-GENERAL H. E. O. ADEFOPE,
Federal Commissioner for Labour

EXPLANATORY NOTE

(This note does not form part of the above Notice but is intended to explain its effect)

The Notice confirms the award by the Industrial Arbitration Panel in respect of the trade dispute which arose between the Nigerian Union of Hotels, Restaurant and Night Club Workers and Regent Hotel.

L.N. 41 of 1977

TRADE DISPUTES DECREE 1977
(1976 No. 7)

Trade Dispute (City Retreading Workers' Union
and City Retreading Service)

Confirmation of Award Notice 1977

Pursuant to the provision of section 9 (3) of the Trade Disputes Decree 1976, the Industrial Arbitration Panel Award made on 25th March 1977, and set out in the Schedule hereto, has been confirmed by me, the Federal Commissioner for Labour, and shall have effect as so confirmed in accordance with that provision.

SCHEDULE

*Name of Arbitration
Tribunal, etc.*

Terms of Award

City Retreading Workers' Union
and City Retreading Service

"The Tribunal has carefully and meticulously considered the memoranda and oral evidence adduced by both parties in respect of the seven claims brought by the applicant and has accordingly awarded as follows :—

- (1) *Management's Refusal to pay the Workers the Udoji Award according to the Council Employees but paid them as Private Sector, whereas the City Retreading Service is the property of the Lagos City Council.*

The Tribunal finds that the Respondent is a separate legal entity quite distinct from the Lagos City Council and is being run as a commercial undertaking. Hence, the payment of Udoji Award as in the Private Sector by the Respondent to its employees is justifiable and ought not to be disturbed. The Tribunal will in the result, make no award.

- (2) *Management's Refusal to submit the Conditions of Service of the Department to the Union for further discussion and amendments if any.*

At the hearing the Respondent agreed to submit the conditions of service to the Applicant and the Applicant consequently withdrew this item from its claims. The Tribunal hereby confirms the withdrawal of this item from the Applicant's claims and therefore makes no award.

- (3) *Management's Introduction of Divide and Rule thereby creating division amongst the workers' and regarding non-members of the Union as its favourites.*

*Name of Arbitration
Tribunal, etc.*

Terms of Award

City Retreading Workers' Union
and City Retreading Service

The Tribunal has found no evidence of improper behaviour along the lines charged by the Respondent. We make no award.

- (4) *Refusal of the Management to transfer the Daily Rated Staff who have completed more than seven years to fixed establishment and thereby paying them less than 26 Working days.*

The Tribunal finds that there is merit in the Applicant's claim and accordingly directs that the Respondent should with immediate effect embark on absorbing those daily-paid workers who have put in seven or more years of continuous service into permanent establishment.

- (5) *Termination of Messrs Benson, Adeyemi and Olafisoye*

The Tribunal has carefully looked into the circumstances of the termination of these men and holds that the termination is not unlawful and accordingly makes no award.

- (6) *Refusal of the Management to grant Mr Oduma his annual increment without reason(s) and also despite repeated letters of the Union to the Management to show cause why the man should be deprived of his annual increment is a violation of our 1972 agreement.*

The Tribunal finds that there was no justifiable cause for the withholding of Mr Oduma's increment for 1975 by the Respondent and therefore orders that Mr Oduma's increment for 1975 be calculated and paid to him.

- (7) *Demotion of Mr Festus Adesanya for the past four years.*

The Tribunal has considered very carefully the facts of this matter and found that the demotion of Mr Festus Adesanya though within the management competence of the Respondent has by its very duration (6 years) called to question the credibility of those who imposed the punishment.

We consider that whatever the offence for which Adesanya was demoted his misdemeanour should now have been expiated by effluxion of time. We therefore award that with effect from the date of confirmation of this award, Adesanya shall be reinstated in his position as a clerk.

DATED at Lagos this 14th day of June 1977.

MAJOR-GENERAL H. E. O. ADEFOPE,
Federal Commissioner for Labour

EXPLANATORY NOTE

(This note does not form part of the above Notice but is intended to explain its effect)

The Notice confirms the award by the Industrial Arbitration Panel in respect of the trade dispute which arose between the City Retreading Workers' Union and City Retreading Service.