Direct Research Journal of Social Science and Educational Studies

Vol. 13(2), Pp. 116-123, July 2025, Author(s) retain the copyright of this article This article is published under the terms of the Creative Commons Attribution License 4.0.

https://journals.directresearchpublisher.org/index.php/drjsses; https://www.ajol.info/index.php/drjsses

Review Article ISSN: 2449-0806

Administrative Law and Resolution of Trade Disputes in the Nigerian Public Sector

Emmanuel A. Ndaeyo¹, Kate Uboho Paul², and Mfon Gaul Uko³

¹Department of Public Administration, Akwa Ibom State University, Obio Akpa Campus, Akwa Ibom State, Nigeria.

²Department of Political Science, College of Education, Afaha Nsit, Akwa Ibom State, Nigeria.

³Department of Public Administration, Akwa Ibom State Polytechnic, Ikot Osurua, Akwa Ibom State, Nigeria.

Corresponding author email: emmanuelndaeyo@aksu.edu.ng

ABSTRACT

Over the years, the employer-employee relationship in the Nigerian public sector has been inundated with conflicts arising from sundry matters relating to remuneration, promotion, conditions of service, collective bargaining issues, and administrative injustice, amongst others. Undoubtedly, there is rarely any trade union in the Nigerian public sector that has not threatened industrial harmony either with the declaration of a warning or full-scale industrial action. Notably among such unions are the Academic Staff Union of Universities (ASUU), Nigeria Labour Congress (NLC), Judiciary Staff Union of Nigeria (JUSUN), National Association of Resident Doctors (NARD), Non-Academic Staff Union of Educational and Associated Institutions (NASU), amongst numerous others. The study adopted the administrative justice theory as its theoretical guide and employed the descriptive and historical method. The findings of the study revealed that trade disputes in the Nigerian public sector mostly arise out of the failure of the government to honour collective agreements relating to payment of salaries and allowances, failure to implement reviewed national minimum wage as stipulated by law and introduction of obnoxious government policies which tend to affect workers' socio-economic wellbeing. The study recommends that the Federal Government through the Federal Ministry of Labour and Employment should establish labour desks manned by trained labour officers in all the ministries, departments and agencies(MDAs) to undertake regular public awareness and legal literacy programmes to educate public servants on their rights and obligations regarding trade dispute resolution mechanisms and that the Federal Government should institute self-activated mechanism to ensure the review and implementation of new minimum wage every three years as stipulated by the National Minimum Wage (Amendment) Act.,2025

Keywords: Trade dispute, administrative justice, collective bargaining, public sector, and industrial harmony



Article information
Received 5 June 2025
Accepted 15 July 2025
Published 27 July 2025
https://doi.org/10.26765/DRJSSES60391218942

Citation: Ndaeyo, E. A., Paul, K. U., and Uko, M. G. (2025). Administrative Law and Resolution of Trade Disputes in the Nigerian Public Sector. Direct Research Journal of Social Science and Educational Studies. Vol. 13(2), Pp. 116-123. This article is published under the terms of the Creative Commons Attribution License 4.0.

INTRODUCTION

The entire realm of public sector is governed by law and it is the instrumentality of the law that serves as the guiding barometer for the regulations of the relationship among individuals and between individuals and the various government ministries, departments and agencies (MDA's). The increasing expansion of societal demands

suggests promulgation and modification of laws to handle various emerging problems that are bound to occur between individuals and other governmental agencies (Danladi, 2012; Akai and Uford, 2025). Apparently, in the course of the discharge of their mandates, public agencies may breach the provisions of the law enabling their

existence and operations. Similarly, individuals having one transaction or the other may also be adversely affected by the actions or inactions of these governmental institutions (Udo, Akpan and Uford, 2024). For purpose of redress, appropriate remedies have been made available for the aggrieved persons to access. In employment relationships, the contract of employment evidences among other things, the intention of the parties to enter into legal relations and awareness of this prompted statutory intervention on resolution of trade disputes arising from such employments in the public sector (Tom and Ndaeyo, 2024).

Without any equivocation, Administrative Law performs a dominant role in the resolution of trade disputes in the Nigerian public sector by ensuring that frictions between employees or their representatives and government agencies are resolved fairly and in accordance with the applicable law. Administrative Law provides the legal regime or framework, institutional structures and procedural limits for handling trade disputes pertaining to wages, working conditions, disciplinary measures, collective bargaining and union recognition in the public service (Ndaeyo, et al, 2025, Akpakpan, et al, 2025, Mbon, et al, 2025). In the view of Eromosefe (2023), Administrative law governs the activities of regulatory institutions such as the Federal Ministry of Labour and Employment which ensures that trade dispute resolution follows laid-down procedures. It is against this background that this paper seeks to assess the role of administrative law in the resolution of trade disputes in the Nigerian public sector.

LITERATURE

ADMINISTRATIVE LAW

Administrative law or the law relating to public administration defies an exact definition or limitation. Different authors define the subject based on their perspectives. Administrative law is a branch of public law that governs the activities of administrative agencies of government. It deals with the organization, composition, powers, functions and procedures of public authorities engaged in administration, particularly the rules and principles governing their interactions with members of the public. According to Wade and Forsyth (2014), Administrative law is the law which controls the powers and procedures of administrative authorities and ensures that such powers are exercised fairly and reasonably. Okany (2007) defines administrative law as the law relating to the administration or the executive and which sets out the powers of the executive branch of the government, including various agencies through which powers are exercised. It is that body of rules which aims at reducing the areas of conflicts between the administrative agencies of the state and individuals. It deals with the relationship between the executive and individuals. internal affairs of departments, departmental exercise of

powers, and rights of civil servants, how powers are delegated to individuals, the position, provision and custody of government property, and remedies open to an individual in the exercise of general authority.

Furthermore, administrative law means that branch of our law which vests powers in administrative agencies, imposes certain requirements on the agencies in the exercise of the powers and provides remedies against unlawful administrative acts. To Danladi (2012), administrative law is a law that regulates the general dealings and operations of management of public and business affairs between the operator and the operatee, setting out distinctively the extent and limitations of each of the parties involved. (Atairet and Ndaeyo, 2022; Akai, Uford and Udoh, 2025).

Iroegbu and Eze (2023), opines that administrative law serves as a mechanism for controlling the powers of government agencies, ensuring accountability and protecting citizens against the misuse of administrative authority. It regulates how administrative decisions are made and provide remedies when those decisions infringe upon individual rights. Okpaluba and Qgbuafor (2022) asserts that in Nigeria administrative law plays a crucial role in the operations of the public service and labour relations. It ensures that administrative bodies operate within the scope of their powers as provided by the enabling statutes. This branch of law also offers avenues for redress through tribunals, judicial review and ombudsman systems.

Gleaned from the foregoing, it is discernible that administrative law is that branch of law which dwells on the composition, powers, and legal safeguards imposed on public agencies and administrative bodies, including remedies aimed at redressing legal wrongs perpetrated against public servants and other citizens. Administrative law demands the adherence of administrative bodies on procedures and due process.

THEORETICAL FRAMEWORK

Administrative Justice Theory

This paper adopted the administrative justice theory as its theoretical guide. The theory was propounded by William Wade, an eminent British legal scholar in 2009. Another proponent foremost proponent of the theory is Albert Venn Dicey... Wade stressed the primacy of the rule of law and judicial control of administrative action especially in ensuring that administrative bodies or public authorities do not exceed their legal limits or abuse discretionary powers. Administrative justice theory anchors on assumptions which includes the preference for the rule of law to prevail in the conduct of administrative agencies. On this note, public authorities are expected to act within the confines of law and that decisions must be based on legal rules and not on arbitrary will. In other words, every administrative action must have a legal basis. The theory also asserts that anyone affected by an administrative

decision must be given an opportunity to be heard and decisions should be made by impartial adjudicators. The right to fair hearing as enshrined in Section 36 of the 1999 CFRN should always be adhered to by administrative bodies in the course of taking decision especially where the rights of people may be adversely affected. Administrative justice theory assumes that justice must not only be done but must be seen to be done. Again, power must be checked by mechanisms for redress. By this, administrative bodies must be accountable for their decisions and subject to review by courts or tribunals. Further, decisions arrived at by administrative bodies should be based on facts and logical reasoning and the process must be open and transparent. In other words, decision makers must provide reasons or justifications for their actions. The last assumption of administrative justice theory concerns equal access to justice. This implies that all persons, including workers in the public sector should have equal access to dispute mechanisms that no one should be denied justice due to status or influence.

The administrative justice theory is of enormous as a theoretical framework because it significance furnishes the theoretical foundation for appreciating how governmental bodies should undertake trade dispute resolution in a manner consistent with the law and principles of natural justice. The relevance of this theory to the study emerges from the background of some of the causes of trade disputes such as unfair disciplinary actions, breach of terms of employment, disagreements over wages, and poor working conditions amongst others. It stresses why public service employees either through their unions or individually should have access to fair, independent and impartial mechanisms for dispute resolutions. Such mechanisms include internal procedure. conciliation, the Industrial Arbitration Panel (IAP), National Industrial Court of Nigeria (NICN), Federal Civil Service Commission (FCSC) and the Public Service Negotiating Council. These organizations represent the principles of administrative law whenever they ensure impartial adjudication and equitable treatment of disputing parties.

Concept of Trade Disputes

The Trade Disputes Act, Cap T8, Laws of the Federation of Nigeria, 2004 is the principal legislation that governs the resolution of trade disputes in Nigeria. The Act provides a legal framework for the resolution of conflicts between employers and workers or between workers and workers primarily at the workplace or in organized labour settings. Under Section 48(1) of the Trade Disputes Act, 2004, a trade dispute is defined as "any disputes between employers and workers, which is connected with the employment or non-employment or the terms of employment and physical conditions of work of any person". This definition involves various conflicts that may occur in the course of employment relationships which includes issues that pertain to wages and salaries, working hours and conditions, promotion and benefits.

Others include dismissals or retrenchment, recognition of trade unions and disciplinary measures. The unequal bargaining position of parties in the employment relationship creates room for incidents of conflicts. The continuous desire of the employer and employees to achieve their objectives may end up in trade disputes. Trade disputes refer to disagreements or conflicts that arise from the employment relationship between employers and employees, or between employees themselves in both public and private sectors. These disputes can emanate from matters embedded in individual contracts of employment or collective issues involving unions and broader labour interests. Trade disputes are peculiar species of disputes and unavoidably common in every society whether developed or developing one. The two commonest forms of employment disputes are those between the parties to the primary contract of employment and trade disputes involving parties to the secondary aspect of industrial relations, particularly trade unions and organization of employers, or workers and workers, when involved in a trade dispute. There are distinct procedures for resolution of the two strands of employment disputes. The resolution of employment disputes between the parties to the primary contract of employment has always been patterned along formal dispute resolution processes with litigation in courts playing the central role, allowing little role for other dispute resolution methods. For the strand of disputes involving parties to the secondary aspect of industrial relations, a statutory framework of collective bargaining has been enabled by the Trade Disputes Act to peaceably and expeditiously resolve specific industrial conflicts defined as trade disputes (Erugo, 2019). Under the Trade Disputes Act, trade disputes between parties to the secondary aspect of industrial relations, ostensibly, trade unions or organizations representing employers and workers, or workers and workers are resolved by a mandatory procedure found more specifically in Sections 4, 5, 6, 7, 8, 14, 17 and 33 of the Trade Disputes Act. Trade disputes occur in collective bargaining situations particularly where workers usually through trade unions, seek improved working conditions, wages or benefits and the employer is unwilling or unable to meet the demands.

PROCEDURES FOR RESOLUTION OF TRADE **DISPUTES IN THE NIGERIAN PUBLIC SECTOR**

An elaborate general framework for the resolution of labour and employment disputes is currently enabled by the 1999 Constitution of the Federal Republic of Nigeria. The resolution of trade disputes in Nigeria follows a structured legal framework primarily established under the Trade Disputes Act Cap T8 LFN 2004. The procedures are fashioned to promote industrial harmony by ensuring that parties to trade disputes exhaust internal redress mechanisms before escalating disputes. Considered hereunder are the major procedures for the resolution of trade disputes in Nigeria.

Internal Dispute Resolutions

The first step in resolving a trade dispute is for the employer and employees (usually through their unions to attempt their settlement through internal grievance procedures and collective bargaining mechanisms. Oladosu (2022) opines that parties are required to negotiate in good faith to resolve the dispute amicably before seeking external intervention.

Notification of Dispute

In the event of the failure of internal dispute resolution mechanisms in resolving disputes, the aggrieved parties are required to formally report the dispute to the Minister of Labour and Employment within seven days of the failure to resolve it. (Section 6, TDA, 2004, Adewumi and Adeniji, 2023).

Settlement by Conciliation

According to Eze and Iroegbu, 2023), conciliation is a nonbinding but effective method of resolving disputes without formal litigation. Upon receiving the report, the minister may appoint a negotiator to mediate between the disputing parties within seven days. The conciliator's task is to promote a mutually acceptable settlement. Pursuant to Section 8 of the Trade Disputes Act, 2004, the Minister may appoint a conciliator for the purpose of effecting a settlement of the dispute. The duties of the conciliator are to inquire into the cause and circumstances of the disputes and begin negotiation with the parties to the dispute and endeavour to bring about a settlement. Where the dispute is settled within seven days of his appointment, the conciliator is expected to submit to the Minister a memorandum setting out the terms of the settlement signed by the representatives of the parties. The terms contained in the memorandum shall automatically become binding on the parties to whom they relate. Any breach thereof is made an offence under the Trade Dispute Act.

Industrial Arbitration Panel (IAP)

The Industrial Arbitration Panel (IAP) is an intermediary mechanism in the dispute resolution process under the Trade Disputes Act, 2004. If reconciliation fails, the Minister refers the dispute to the Industrial Arbitration Panel (IAP) for arbitration. Alternatively, the Minister could also refer a dispute directly to the panel in the exercise of his discretionary powers under Section 5 of the Trade Disputes (Essential Services) Act 2004. The IAP conducts a formal hearing and gives an award The panel provides a quasi-judicial within 21 days. platform that delivers binding decisions on trade disputes and exercises jurisdiction over trade disputes involving rights and interest in employment. Otobo (2020). One of the prominent instances where the IAP played its role was in the matter that involved the Academic Staff Union of Universities (ASUU) and the Federal Government in which the IAP award helped in de-escalating nationwide strikes and ensuring continuity in public tertiary education (IAP Report, 2013).

National Industrial Court of Nigeria (NICN)

The National Industrial Court of Nigeria (NICN) is a superior court of record and a court of first instance, with exclusive jurisdiction to entertain all matters to or connected with labour and employment in Nigeria. Specifically, Section 254(c) of the 1999 CFRN vests extensive jurisdiction on the NICN to the exclusion of other courts in civil causes and matters on an array of employment related issues. The National Industrial Court (NIC) provides a forum for any party who is dissatisfied with the IAP award to proceed on appeal to the NIC within 21 days. Okene (2021) asserts that the NIC is vested with exclusive jurisdiction over labour and employment matters and ensures enforceable outcomes.

In the public sector, the NICN plays a crucial role in adjudicating disputes between government ministries, departments and agencies (MDA's) and their employees particularly in the event of the failure of internal mechanisms. This scenario is exemplified in the case of National Union of Allied Health Professionals v. Federal Ministry of Health (2014) NICN/ABJ/238/2013 where the NICN affirmed the right of public health workers under collective agreements in trade dispute involving welfare and wage- related issues in the public health sector. The NICN also enforces awards made by the IAP and handles appeals from decisions of the Minister of Labour and ensures that administrative law principles of due process. fair hearing and judicial review are upheld in the resolution of trade disputes in the public sector. (Ezeijofor, 2021). The various procedures for settling trade disputes in Nigeria are settlement through internal grievance procedure, notification of dispute, conciliation, Industrial Arbitration Panel (IAP) and the National Industrial Court.

Administrative law also vests the courts with jurisdiction to review administrative decisions, ensure the legality of actions taken by other bodies and performs judicial review of decisions from the IAP and Minister of Labour. On the whole, administrative law principles are expected to be applied in trade disputes. Such principles include fair hearing (audi alterem partem), ultra vires doctrine, impartiality and bias (nemo judex in causa sua). Judicial review and oversight and collective bargaining and agreement enforcement.

Administrative Tribunals and Commissions

It is worth emphasizing that the foregoing procedures for resolution of trade disputes are applicable both to the public and private sectors. However, due to the peculiarities of the public sector, there are two foremost additional mechanisms for resolution of employment disputes that are exclusively applicable to the public

service. The specific mechanisms for trade disputes resolution in the public sector include administrative commissions like the Federal Civil Service Commission (FCSC) and the Public Service Negotiating Councils. In the Nigerian public sector, for certain species of disciplinary disputes such as misconduct and dismissal, administrative panels or commissions of inquiry are set up within the public service to investigate and recommend actions before trade dispute even arises. These are conventional ad hoc bodies and there is strict requirement for compliance of them with the requirement of fair hearing under Section 36 of the 1999 Constitution (as amended).

Federal Civil Service Commission (FCSC)

The Federal Civil Service Commission is another administrative body vested with trade dispute resolution functions. The FCSC as a direct creation of the 1999 CFRN as amended plays a crucial function in resolving employment disputes. The Commission provides administrative justice in the resolution of trade disputes within the public sector by ensuring that public servants are treated fairly and that disputes are addressed in accordance with due process, Public Service Rules and relevant laws. It performs some core functions such as disciplinary oversight, merit-based recruitment and promotion. grievance redress mechanisms compliance with the public service rules. Such functions are anchored on administrative law principles such as fair hearing, rule of law and due process which are needed in dispute resolution. Specifically, the FCSC undertakes the core functions of guaranteeing fairness in recruitment, promotion and discipline as well as investigation of disputes and handling of complaints as well as playing advisory roles in public relations.

Guaranteeing Fairness in Recruitment, Promotion and Discipline

In accordance with the 1999 Constitution (as amended), Section 153(1)(d), the FCSC is empowered to appoint, promote, and discipline civil servants in government ministries, departments and agencies (MDAs). The FCSC involves in resolving trade disputes whenever such disputes arise from such procedural irregularities in promotions or disciplinary actions and this is done through reviewing such cases in line with the Public Service Rules (2021) to ensure fairness, legality and impartiality (Okpaluba and Ogbuabor, 2021).

Investigation of Disputes and Handling of Complaints

The FCSC investigates trade disputes lodged by aggrieved public servants or unions. This is done by conducting fact-finding missions, holding internal hearings and making recommendations for redress. These processes are in accordance with administrative justice principles such as audi alterem partem (the right to be

heard) and nemo judex in causa sua (no one should be a cause in their own cause. Duru. 2021).

Advisory Role in Public Relation

The FCSC plays advisory role to the government on employment related policies that reduce potential areas of conflict. This proactive role contributes to a stable and predictable administrative framework that discourages trade disputes (Ezeani, 2018). It is instructive to note that the law prohibits strikes or lockouts during the resolution process to maintain industrial peace. Non-compliance with this requirement may attract penalties. According to Duru 2021). This provision aims to prevent disruptions while formal procedures are ongoing.

PUBLIC SERVICE NEGOTIATING COUNCILS (PSNC)

In Nigeria, the Public Service Negotiating Council is a statutory platform for collective bargaining and negotiation between the government serving as employer and public service employees through their trade unions. Council is vested with the responsibility of facilitating dialogue on wages, conditions of service and trade disputes within the public sector. The Public Service Negotiating Councils are joint negotiating bodies with representatives drawn from the government side and workers' side to constitute the public service negotiating council. The government (employer) side represents the employer the Federal or State Government, depending on the tier of government involved. The government side comprises of Head of the Civil Service of the Federation as chair or lead representative (or state equivalent). representatives of relevant Ministries, Departments, and Agencies (MDAs) especially from the Ministry of Labour and Employment, Ministry of Finance, Director of Establishments or Personnel Management, legal advisers and other nominated senior government officials' representatives from the Salaries, Income and Wages Commission. Members on the government side consider government policy, budgetary limits and regulatory concerns in the course of negotiations. The Employee (Labour) side represents the interest of organized labour or the entirety of public service workers and comprises of representatives of recognized public service trade unions such as Nigeria Labour Congress (NLC) affiliated unions. Trade Union Congress (TUC) affiliated unions, senior officials of major unions like the Association of Senior Civil Servants of Nigeria (ASCSN) and other relevant sectorbased unions. These unions facilitate collective bargaining and dispute prevention through periodic dialogue. They serve as proactive channels to avert full-blown disputes (Adewumi, 2021).

In practice, the PSNC facilitates negotiations on wages, terms of employment, conditions of service and other related matters. A case in point is the major role the Council played in the negotiation that culminated in the implementation of the National Minimum Wage Act, 2019

in the public sector (Olowu, 2022). The PSNC is structured into three tiers, namely the:

National Public Service Negotiating Council (NPSNC) for issues affecting the entire public service at the national level.

State Public Service Negotiation Council (SPSNC) for matters affecting government employees.

Departmental or sectoral Councils for specific ministries or sectors (eg health, education).

ADMINISTRATIVE LAW AND RESOLUTION OF TRADE DISPUTES IN NIGERIA

Administrative law plays a pervasive role in the resolution of trade disputes in Nigeria through the provision of legal framework, principles and mechanisms through which administrative agencies undertake lawful resolution of trade disputes. The agencies of government involved are the Ministry of Labour, and Employment, the Industrial Arbitration Panel and the National Industrial Court of Nigeria (NICN). Administrative law regulates the activities and procedures of public authorities and ensures that their actions are lawful, reasonable and procedurally fair in Nigeria, Administrative law regulates how labour related administrative bodies exercise their powers in resolving trade disputes. It ensures accountability of administrative agencies and guarantees due process in dispute resolution. Administrative law further provides the institutional framework for the resolution of employment disputes in Nigeria. (Okpaluba and Ogbuabor, 2022). At the level of the Ministry of Labour and Employment, the Ministry serves as the respondent to any declared trade dispute TDA, S.6. The investigative, conciliatory and referral powers are handled by administrative law. Furthermore, at the level of the Ministry, administrative law ensures compliance with fair hearing (audi alterem partem) and neutrality. As an administrative body, the Industrial Arbitration Panel was constituted under Section 9 of the Trade Disputes Act to arbitrate unresolved dispute. Administrative law regulates the composition, procedures and decision-making process of the IAP; Decisions of the IAP must align with natural Justice and administrative fairness. (Okene, 2022). In the Nigerian public sector, trade disputes typically arise on account of non-payment of salaries and arrears, unlawful termination or dismissal. non-compliance with promotion policies, breach of collective agreements, failure to implement agreements reached after strikes, etc.

REQUIREMENT OF NATURAL JUSTICE IN THE EMPLOYMENT RELATIONSHIP

Audi Alterem Partem

Audi alterem partem is a Latin word which means hear both parties. Administrative agents are not expected to take any decision affecting a person's right without giving

him the opportunity to be heard and defend himself. In other words, no person shall be penalized by any court, tribunal or administrative body unless he has been given a prior notice of the case he is to meet and is given adequate opportunity to answer the case against him. Where a person's rights and obligations are affected, there is a duty on the relevant authority to accord him the opportunity to be heard and defends himself. (Danladi, 2019). From the foregoing, it is discernible that public servants must be given the opportunity to be heard before disciplinary actions are taken against them or employment disputes are resolved. In the case of Olanivan v. University of Lagos (1985), 2 NWLR (pt 9) 599, the Supreme Court of Nigeria held that employees in public service are entitled to fair hearing before dismissal. Any dismissal without strict adherence to fair hearing is void. It is therefore incumbent on the Civil Service commission and other administrative bodies to allow workers to defend themselves in disciplinary proceedings (Ndaeyo, et al, 2025).

Nemo Judex in Causa Sua

Nemo judex in causa sua is another Latin maxim which means that no one can be a judge in his own cause. It is the first and most fundamental principle of natural justice. The rule requires that whoever is entrusted with the responsibility of deciding any dispute between two or more parties, should exercise his functions in a spirit devoid of prejudice so as to give to each party his due according to the law of the land. The rationale behind this rule is to protect the rights of the citizens in seeing that justice is done. Likelihood of bias has been shown to manifest in a number of situations, including personal animosity or hostility, personal association or friendship, family relationship and actual bias (Okany, 2007). From the foregoing, it is apparent that that in the event of employment disputes, employers or administrative panels must adhere strictly to the principle of nemo judex in causa sua.

Ultra Vires Doctrine

Since judicial powers do not constitutionally belong to the administrative bodies, it is therefore incumbent on administrative agencies exercising such powers to justify its actions by showing that the power is derived from a validly made law and that it is exercised within the limits and in accordance with the procedures prescribed by the law. Where an administrative agency exceeds the powers (substantive or procedural) conferred upon it by an enabling law, it is said to have acted ultra vires. Acting ultra vires may arise from want or excess of jurisdiction (substantive ultra vires), defective procedure (procedural ultra vires), unreasonableness, absence of evidence, and use of powers for an improper purpose and abuse of discretion or jurisdiction. Bodies that exceed the scope of its powers are said to act ultra vires and such actions risk

being declared null and void. Administrative panels are required to follow due process and not exceed their powers. Therefore, administrative bodies like the Federal Civil Service Commission must not unilaterally terminate or sanction employees without clear legal mandates (Okany, 2007).

Conclusion and Recommendations

Apparently, administrative law plays a significant and indispensable role in the resolution of employment disputes in the Nigerian public sector. This is evidenced by the institutionalization of legal frameworks that imposes safeguards and ensures accountability in the management of employer-employee relationships. It is in the realm of administrative law that public agencies are particularly tasked to ensure due process and adherence to rules by administrative bodies and other public authorities especially in disciplinary procedures, terms of employment and other labour concerns through the enforcement of administrative law principles such as the natural justice principles of fair hearing and the rule against bias. These principles are aimed at safeguarding the rights of public servants and smoothening the dispute resolution process required for industrial harmony in the public sector. The study recommends that the Federal Government through the Federal Ministry of Labour and Employment should establish labour desks manned by trained labour officers in all the ministries, departments and agencies(MDAs) to undertake regular public awareness and legal literacy programmes to educate public servants on their rights and regarding trade dispute mechanisms and that the Federal Government should institute self-activated mechanism to ensure the review and implementation of new minimum wage every three years as stipulated by the National Minimum Wage (Amendment) Act., 2025.

REFERENCES

- Adewumi, F. (2021). Trade Unionism and Industrial Conflict Management in the Nigerian Public Sector, Nigerian Journal of Industrial Relations, 15(2), 101-119
- Adewumi, F. and Adeniji, A. (2023). Labour Relations and Dispute Resolution in Nigeria, Labour and Employment Publishers.
- Akai, I. M., and Uford, I. C. (2025). Managing Academic Research Output through ResearchGate: Evidence from Federal Universities in South-South Nigeria. Journal of Economics, Innovative Management and Entrepreneurship, 3(3).
- Akai, I. M., Uford, I. C., and Udoh, U. I. (2025). Assessing Facebook's Influence on Research Output among Lecturers in Federal Universities in South-South Nigeria. Direct Research Journal of Social Science and Educational Studies, 13(2), 101-108.
- Akpakpan, M.S., Ebong, I. B. & Ndaeyo, E. A.(2025). Bureaucratic Governance and Socioeconomic Development in Nigeria: Analyzing the Interplay between Administrarive Agency and Public Service Delivery, MSI Journal of Multidisciplinary Research (MSIMJMR), 2(7),
 - Atairet, C. A. and Ndaeyo, E. A. (2022). Grievance redress procedure and job retention in Nigeria Civil Service; An Appraisal. AKSU Journal of Administration and corporate Governance, 2(3), 114-124.
- Danladi, K. M. (2012). Outline of Administrative Law and Practice in

- Nigeria. Ahmadu Bello University Press Limited.
- Duru, E. J. (2021). Labour Law and Industrial Relations in Nigeria. Eagle Publishers.
- Duru, E. J. (2021). Employment relations and disputes resolution in Nigeria, Journal of Labour and Industrial Relations, 15(2), 85-9
- Eromosefe, E. (2023). Administrative Law and Industrial Relations. Princeton Publishing.
- Erugo, S. (2019). Introduction to Nigerian Labour Law; Contra21ct of Employment and Labour Practice, Princeton and Associates Publishing CO. Ltd.
- Ezeani, E. O. (2018). Fundamentals of Public Administration. Snaap Press Ltd.
- Ezejiofor, G. (2021). Principles of Administrative Law in Nigeria. Chenglo Limited.
- Federal Republic of Nigeria (2004). Trade Disputes Act (Cap T8, Laws of the Federation of Nigeria). Government Printer.
- IAP Report (2020). Federal Government v.ASUU Arbitration Proceedings.
- Ibekwe, C. C, (2020). Administrative Justice and Public Service Reforms in Nigeria. Great Knowledge Publishers.
- Iroegbu, P. O. (2023). Administrative law and good governance in Nigeria; A legal appraisal, Journal of Law and Social Policy, 14(2), 45-
- Labour Act, Cap L1, Laws of the Federation of Nigeria (2004).
- Mbon, N. E., Olufolakumi, O. A. & Ndaeyo, E. A. (2025). New Public Administration Practice and Good Governance in Nigeria: The Dilemma and Way Forward, International Journal of Research and Scientific Innovation, XII(111), 373—384.
- National Industrial Court Act, 2006.
- National Industrial Court of Nigeria (NICN). (2014). National Union of Allied Health Professionals v. Federal Ministry of Healthi, Suit No: NICN/ABJ/238/2013.
- National Minimum Wage (Amendment) Act, 2025.
- National Minimum Wage Act, 2019.
- Ndaeyo, E. A., Paul, K. U and Ekeuwei, T. (2025). Disciplinary Procedures and Grievance Management in the Nigerian Civil Service: An Appraisal. AKSU Journal of Management Sciences 10 (1), 270-
- Ndaeyo. E. A., Atakpa, E. O., Akpan, E. D. and Paul, K. U. (2005). Tertiary Education Trust Fund (TETFUND) and Manpower Development in Akwa Ibom State University, Nigeria (2012-2024). International Journal of innovative Research in Social Sciences and Strategic Management Techniques, 11(1):1-21.
- Okany, M. C. (2007). Nigerian Administrative Law. Africana First Publishers Ltd.
- Okene, O.V.C. (2023). Legal framework for labour dispute resolution in Nigeria; Challenges and Prospects, Nigerian Labour Law Review, 11(1), 22-37.
- Okpaluba, C. and Oguabor, C. A. (2022). Judicial control of administrative action in Nigeria: contemporary issues and challenges, African Journal of Law and Practice, 18 (1), 75-93
- Oladosu, O. A. (2022). Trade disputes and mechanisms for conflict resolution in Nigeria. Nigerian Journal of Labour Studies, 10(1), 23-38 Olaniyan v. University of Lagos (1985), 2 NWLR (pt 9) 599,
- Olowu, D. (2022). Collective bargaining and wage fixing in the Nigerian public sector. The role of PSNC, Journal of Industrial Relations and Policy, 14(1), 23-35
- Otobo, D. (2020). Imdustrial Relations Theory and Practice in Nigeria. Malthouse Press
- PSNC Report (0220). Annual Review on Wage and Industrial Relations in the Public Service
- Tom, E. J. and Ndaeyo, E. A. (2024). Trade Unionism and Welfare of Members of Academic Staff Union of Universities (ASUU), University of Uyo Branch, 2010-2020; AKSU Journal of Administration and corporate Governance, 4(2):242-253
- Udo, R. A., Akpan, S. J., and Uford, I. C. (2024). Product branding and customer patronage of Champion Breweries Plc.'s products, Uyo, Akwa Ibom State, Nigeria. AKSU Journal of Administration and Corporate Governance, 4(2), 208-220.
- Udoh, U. I. and Akai, I. M. (2025). The Prospects of Internet of Things (IoT) in Some Selected Academic Libraries in South-South. Direct Research Journal of Management and Strategic Studies, 6(1), 80-85.

Ndaeyo et al 123

DOI: 10.26765/DRJMSS201023945. Wade, H. W.R. and Forsyth, C. F. (2014). Administrative Law (11th ed.) Oxford University Press.