

Different Forms of Work and Different Conditions of Work in a NEO-Liberal Market Economy

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Abstract

Casualization refers to the systematic replacement of full-time and part-time staff with staff employed on an ad hoc basis. Regular work is not provided but the casual worker is expected to be available when required. Theoretically, casualization leads to the reduction of an organization's operational costs by increasing the ease with which workers can be included and excluded from the workforce. Therefore, a casual worker is a worker on a temporary employment contract with generally limited entitlements to benefits and little or no security of employment. The main attribute is the absence of a continuing relationship of any stability with an employer, which could lead to their not being considered "employees" at all. Casual workers differ from other non-permanent workers in that they often possess fewer rights and less protection). A plethora of terms have been deployed to define and account for the growth of this type of irregular employment contract. For example, the International Labour Organisation (ILO) has used terms like disguised employment or triangular employment relationship to define the emergence of sub-contractors, independent contractors, home-based workers and all manner of "in-formalised" work. Based on this argument, this study tends to examine the different forms of work as well as the different conditions of work in a neo-liberal market. The paper was guided by the neo-liberal theory.

Keywords: Casualization, Casual workers, Employment contract, labour productivity, Employment relationship

1. INTRODUCTION

A casual labour is a very common term that is often used in the community of employers. They use casual labour to describe the employees who perform a variety of activities. But these employees usually work part-time or on a temporary basis. A casual worker is mostly employed to a limited amount of time per day or for a week (CUPE, 2000). There are also many different types of casual workers. The following are types of workers termed as casual labourers: part-time helpers, temporary helpers, morning labourers, probation workers or workers who do not possess a social security number (CUPE, 2000).

A casual labourer can be traditionally defined as a person who is employed to do one particular job. The casual labourer comes only in some occasions and does job for the employer. Earlier, a labourer who worked for lesser amount of days in a week was usually mentioned as a casual labourer. This person cannot have all the rights possessed by the regular full-time labourers (Okafor and Rasak, 2015).

Casual labour is derived from the agencies that employ people. It refers to the type of work that they do and what they do to promote the employing agencies. Casual labour also has all the employment tax that all the employers pay. During many events, like sports days, vacations and harvesting season, casual labour comes in very handy. Either the casual labour is paid or not, there is always a cause of concern on how the tax will be calculated on the wages that they get. Casual labour and the seasonal labour are usually put under the same tax rules that the other employees are under (Okafor and Rasak, 2014).

Casual labour also has a protection labour act that was passed by the year 2005 (Okafor, 2012). This act specifies the basic conditions that casual labour works on. Any casual labour who works for more than a day per month is protected by this labour act. This act specifies the amount of working time, the amount of time that the casual labour works extra than his regular time and the number of breaks that he takes for his meal and other activities. The casual labour also qualifies for the leave that is given to other regular employees (CUPE, 2000).

However an employee who works for 2 days per week is still regarded as part of casual labour. This can be put under the wage determination council to determine the wages for the casual labour. Hence the casual labour under these cases often

receives a higher amount of pay when compared to other employees (ILO, 2008). There is often a misunderstanding between the regular employees, labours in contract and the casual labour.

The term casual labour is a very common term in the industries. Some of the employees are employed incorrectly by taking the principles wrongly. A wrong way of employing a casual labour may have a serious effect later. Hence, before employing a casual labourer the employer is advised to be thorough with the laws that govern the employment of the casual labour (Okafor and Rasak, 2015).

To understand how managerial decisions shape employment outcomes, the starting point is to make a distinction between casual jobs and the workers who fill those jobs (Weller, et al., 1999). A single firm may implement one, or more, or any combination of casual work forms. Each form of casualization affects a different group of workers and has different implications for long-term restructuring of the labour market. The characteristics of each form of casual work are described below.

1.1 Probationary casual employment

In the manufacturing sector, the conditions under which employers may employ workers on a casual basis are regulated by industrial awards and in enterprise bargaining agreements. These generally set down the pay scales for casual workers, regulate the hours casuals are permitted to work and sometimes limit the number of casual workers that may be employed relative to the permanent workforce (Weller, et al., 1999).

Many industrial awards permit casual employment for a specified and limited time, often for a maximum of three months. 'Probationary' casual workers are employed on a short-term basis, usually under one of these award clauses, and they may be recruited to the permanent workforce after a specific time. While the incumbent may or may not be retained, the position is ongoing and employment is generally sanctioned under award provisions.

Increasingly, new recruits are offered an initial specific short-term appointment, usually three months, during which their suitability for a permanent job is assessed. Because there is no formal commitment to ongoing employment, casual workers differ from workers employed in permanent positions in which there is an initial formal probationary period (Weller, et al., 1999). Here employers seek casual

workers who meet the same recruitment criteria as full-time permanent employees-reliable, hardworking, compliant and able to 'fit in' with the existing workforce.

Those employed in probationary casual positions have the same characteristics as workers employed in the corresponding permanent job and they are recruited from the same sources as those seeking permanent jobs. Recruits generally match socially constructed and stereotypical job profiles men for heavy work and women for work involving detail or dexterity (Charles worth, 1996). This form of casual work replicates existing labour market differentiation. The people recruited in these casual jobs tend to be unemployed and available for full-time work. From the employer's point of view, probationary workers are given an opportunity to prove themselves in a real work situation. The implied promise of permanent work secures the compliance of casual workers.

The 'right attitude' underlines the recruitment criteria for graduation to permanency. This may vary widely from firm to firm-one company sought workers who would apply themselves methodically to a set task on the process line, while another sought workers who would promote team spirit in the workplace. For many workers taken on for a probationary period, the prospect of permanent job is more imagined than real, although it is also true that successful completion of a period of contract, casual or probationary employment is becoming a prerequisite to permanent employment (Campbell and Burgess,1998).

The qualities of potential recruits are not managers' only consideration. The degree of worker organization in the workplace constrains the growth of casual employment by limiting its use under award and workplace enterprise agreements and through union pressure to move workers from casual to permanent status (Charles worth, 1996). Conditions in the product market are a factor because the firm must have sufficient work to justify continued employment. The skill level of the job matters too. High-skilled workers performing tasks crucial to the production process are more likely to be offered permanency. The characteristics of the local labour market also affect the recruitment decision because employers apply more stringent criteria where a large number of replacement workers are available locally.

Finally, company history matters-firms with a history of workers' compensation claims or absenteeism are more wary of making casual workers

permanent. Casual workers who fail to meet the employer's expectations are easily shed (Charles worth, 1996). Dismissing a casual worker is generally not necessary; it is simply stated that no further work available. Avoiding a wrong recruitment decision also motivates employers to institute an initial spell of probationary casual employment.

Many employers expressed their disinclination to take on anyone on a permanent basis for fear of the costs associated with the unfair dismissal legislation. In 'Probationary' casual employment, employers operate within the Award but minimize their risk by maximizing the use of casual workers. For workers, the effect is to construct an additional barrier to admission into secure permanent employment and the internal labour market of the firm.

1.2 Quasi-permanent casual employment

In the case of 'Probationary' casual workers, firms prefer to move them to the permanent payroll once they are satisfied with individual performance. However, sometimes workers remain permanently casual. 'Quasi-permanent' casual workers work on a casual basis in ongoing jobs, performing tasks indistinguishable from those of permanent workers (Charles worth, 1996).

They often begin on a short-term contract that lingers indefinitely, performing similar tasks to permanent workers, working similar hours and having similar longevity of service as their permanent counterparts. Casuals in this context do not necessary differ from permanent workers in any easily identifiable way.

"Quasi permanent" casual workers are found in jobs not limited by award regulations and in workplaces that do not observe award conditions (that is, in workplaces with little or no active union). 'Quasi-permanent' workers include those who are denied the protection of permanent work and those who willingly opt for the higher pay rate of casual work rather than the protection of permanence (Campbell and Burgess, 1998). It flourishes where neither the employee nor the employer envisages a long-term association.

Certainly, there are 'permanent' casuals happy to remain casual, but the employers' preference dominates. Even in workplaces covered by awards, some employers exploit opportunities to keep workers casual by transferring them from one

Award sanctioned status to another to suit their needs and avoid a long-term commitment. Some sought to manipulate job descriptions to avoid permanency.

‘Quasi-permanent’ casual workers also include workers who, in their employer’s view, have some question over their long-term suitability for the job. Workers who for whatever reason do not meet the employer’s criteria can be held on as casuals, indefinitely or until they leave. For some, moving from contracted or casual work to a permanent position is a hurdle they will never overcome. Others remain casual while waiting for a scarce permanent vacancy to arise. Only the best will be offered permanent work, and only then if a permanent vacancy arises.

An additional incentive for employers to keep people on the casual payroll is to avoid the costs associated with superannuation. The desire to avoid the additional paperwork associated with permanent employment is also an important issue (Campbell and Burgess, 1998). Managers’ motivations for retaining workers on a casual basis also stem from their experiences in the early 1980s when the country adopted the structural adjustment programme (SAP), when many firms shed labour. Managers found retrenching workers distressing and some considered themselves to have failed in their obligation to long-serving workers.

The best way to avoid future retrenchments is not to make a long-term promise of employment in the first place. Restructuring the workplace to employ a smaller core of permanent workers insulates managers from unpleasant decisions (Charles worth, 1996). Casualized workers in quasi-permanent jobs have effectively lost labour security and entitlements, although the work they do is essentially the same as permanent workers. They will be the first to lose their jobs in a downturn.

1.3 Restructuring casual workers

‘Restructuring’ casual workers are employed before or during an internal restructure (Charles worth, 1996). They ‘fill gaps’ and maximize the options available to employers when reworking job roles. When changes in work organization are planned, managers limit permanent recruitment to reduce overall employment and to maximize their options for changing job roles and tasks as restructuring proceeds. Firms intending to restructure their operations (or sections of their operations) will avoid taking on permanent employees in the months leading up to the restructuring

(Charles worth, 1996). Using casual workers gives managers the flexibility to recruit specifically for the new structure when the time is right.

For casuals employed during a restructuring process, compliance becomes an important employment criterion. Unlike the recruitment of casuals as prospective permanent employees, managers who are restructuring their operations wish to transform work culture and use casual staff to challenge long-standing work practices perceived as out of step with the organization's new strategies and directions. Casual workers are perfect for this role given their desire to work, the enticement of the possibility of permanent work and their lack of familiarity with existing practices in the organization (Charles worth, 1996). Managers then seek casual workers who are 'hungry' or desperate for work, and recruit outside the firm's usual networks.

'Restructuring' casuals who fit with the managements' view of a new work culture may later be retained to form the core of a new post-restructuring workforce. The new workers are not social peers of the previous workforce and their employment represents a break with previous traditions and culture of the workplace.

1.4 Technical-organizational casual workers

Technical-organizational casual workers have specific, specialist, but not firm specific skills and include outsourced administrative, maintenance and transport workers (Charles worth, 1996). Both the work and the workers have a continuing role. For the most part 'Technical-organizational' casual workers hold jobs not directly involved in core production. In fact, some firms consciously divide their workforce into 'direct' and 'indirect' workers, depending on their position in the production process, and aspire to offer permanent employment only to direct producers of the product (to safeguard quality standards).

This form of casualization allows firms to reduce their core labour force and is prompted more by downsizing to meet competitive pressure than by fluctuating market conditions (Littler, et.al., 1994). It is widespread in administrative and clerical occupations because:

Computer software packages standardize processes and reduce the scope for human error. As more firms introduce fully integrated and computerized inventory, accounts and warehousing systems, skills in these areas are becoming progressively less firm specific. There are compelling economic incentives for the 'lean'

manufacturing firm to divest these functions to outsourced experts. Filling a vacancy with a new permanent employee is unlikely if computerization is a firm's longer term aim.

The gendered nature of labour supply ensures an ample supply of women with computing and accounting skills who are available for part-time and intermittent work. If they are not seeking full-time work, the slightly higher pay rate of casual status may appeal, especially where no long-term association with the employing firm is envisaged. Employers take advantage of this ready and willing labour supply (Deery and Mahony, 1994). If office workers are unionized they are certainly not in the same union as production workers, and social relations distance them from production workers' support. The absence of collective resistance eases the casualization process (Rubery, 1978).

With technological advances and declining numbers of production level employees, specialist administrative functions are still needed, but the volume of work is no longer sufficient to justify a full-time position. Casual work is one method of 'outsourcing' indispensable but less than full-time roles. The employment conditions of 'Technical-organizational' casuals vary with the socially constructed status of different jobs. For example, (male) computer programmers are employed as consultants; women in data entry are casual part-timers, and truck-drivers may be simply on-call casual.

The workers who hold these jobs have clearly definable, readily accessible generic technical or administrative skills. The casualization of administrative, support and distribution jobs occurs independently of the casualization of production-level employment, and is widespread even in those firms with a preference for a high proportion of permanent staff in production areas.

1.5 Labour pool casual workers

'Labour pool' casual workers provide numerical flexibility to accommodate product market fluctuations (Weller, et al., 1999). Both the workers and the work are short-term; although employers strive to develop long-term associations with their reserve labour force. A firm's position in the labour market is related to its position in the product market (Manwaring and Wood 1984). In the past, manufacturing firms often maintained a staff establishment that could cope with the peaks in demand.

In the Nigerian market, employers practiced well-rehearsed strategies to manage their product and labour requirements. Peaks in demand were accommodated by overtime and detailed planning of production, with the costs borne partly by workers through loss of overtime and bonuses. For many firms the product market is now too volatile to rely on in house flexibility. Some firms have ceased production of the stock items that cannot compete against imports, some have retreated to niche markets and others have adopted a 'Quick Response' style of workplace organization where inventory is kept to an absolute minimum (Manwaring and Wood 1984).

These firms then need reliable relief staff to meet unanticipated fluctuations in demand, respond to irregular peaks in production and cover for absences. Managers can extend their labour force by creating an extended internal labour market (Manwaring and Wood 1984). 'Labour pool' casuals constitute a reserve army of reliable and trained labour that can be drawn on at peak times and in emergencies, allowing the employing firm to reduce its full-time staff establishment to a lower level than would otherwise be required.

Employers prefer casual relieving workers who are able to perform a number of tasks and who are willing and able to adapt to a variety of roles. They want people who can 'slot in' as required. In small businesses with minimal resources for recruitment, family members and friends are brought in at the busy times. In larger firms relieving casual workers are almost invariably connected to the existing workforce in some way and are usually recruited by the existing workforce (Weller, et al., 1999).

Where the work is seasonal and relatively predictable, employers prefer people who do not see the casual job as their primary role. These are people with no expectation or desire for ongoing employment, but who can be relied on to reappear each season.

Rural food industry manufacturers take on casual workers for 'the season' (which is a specific time period under the relevant award). Employers recruit workers from farm backgrounds in preference to the unemployed workers in the township.

The unemployed do not make the best reserve casual employees because they are liable to leave when a more lucrative or permanent position presents itself. Nor are they likely to be available as a longer term relief labour force. Employers apparently

value those who either do not wish to work more than a few hours per fortnight or people who have trouble finding work elsewhere. People employed as regular reserve casuals are drawn mainly from those who are not actively seeking work and who, by definitions, would be classified as 'not in the labour force'.

They also include discouraged workers who no longer actively seek employment but who are available when called. Home-based women fill the reserve casual role, so long as family responsibilities do not limit their availability. Former employees, especially women with young families, provide another source of reserve labour (Weller, et al., 1999).

The pool of casual recruits expands through the recommendations of existing staff and other pool members and becomes an extended network that 'fits' on a social level with existing workers. Social links to the firm reinforce a social obligation to be available when required and minimizes niggling problems such as theft. Finding and maintaining a reliable casual worker pool can be costly. Some firms keep a list of names of casual workers who have performed well on previous occasions. Reliable casuals are always home when called and never have other activities that prevent them from coming to work. They can tolerate lengthy periods without work and are willing to work at odd times and without a routine (Weller, et al., 1999).

To maintain sufficient numbers of auxiliary workers, employers actively manage the labour pool, offering a number of people a little work each from time to time. In this way, they maintain a group of people available at short notice. Some employers even test each casual worker's willingness to go without work and refine the frequency of contact needed to keep the labour pool functioning.

It is not in employers' interests to offer any individual additional hours of work because it is more important, from their point of view, to balance the available work across a group of workers. For workers, it is unlikely that employment in a casual labour pool will lead to more regular employment, at least not with that employer. This form of casual work is certainly a 'trap' rather than a 'bridge' to a better job (Weller, et al., 1999). It seems that the growth of the 'Labour pool' casual workforce is not purely demand or supply driven. Its expansion is the coincidence of shifting demand and a more than adequate labour supply of workers with the skills and aptitudes required by manufacturing firms. The reserve pool is an example of

employers tailoring their recruitment strategies to specifically target disadvantaged segments of the local community.

1.6 Agency casuals

Despite the advantages of a labour pool, administering one is costly and somebody must take responsibility for maintaining contact. Furthermore, it is only possible to maintain a pool when there is sufficient work to keep the casual pool members interested. When the casual pool cannot be maintained, using a casual employment agency becomes a preferred option. 'Agency' casual workers are employed by an employment agency and contracted to the manufacturing firm (Weller, et al., 1999). The work is short term, as is the employment of the worker.

When a firm employs casual staff through an agency the workers are employed by the agency that is responsible for the administration of the employment relation. By contracting with the agency for the supply of labour, the firm distances itself from unfair dismissal, Work cover and superannuation. Agency employment also removes problems of managing casual employees and insulates the firm from risk (Weller, et al., 1999). The ability to simply return an employee who does not suit is another advantage. Using labour from an agency makes a reality the Taylorist ideal of labour as a simple commodity, just another input in the production process.

Agency employed casual workers are not linked into the existing workplace culture. Longer term associations link the firm and the worker to the agency rather than to each other. The shift to agency-based employment has considerable implications for the labour market since it represents a clear break from informal recruitment networks. In the longer term agency-based employment will reduce the numbers of people who have access to some intermittent and casual 'Labour pool' employment. If agency workers work the equivalent of a full-time job (or more) at different locations, then work will be spread between a smaller numbers of people than in the reserve labour pooling system.

2. STATEMENT OF PROBLEM

2.1 Nigerian Labour Market and Prevalence of Casual Employment Relations

Unemployment and underemployment are the main features of the Nigeria labour market with weak economy unable to absorb all those willing to be engaged productively (Adebayo, 1999; Damachi, 2001; Onyeonoru, 2008; Okafor, 2011).

Unemployment is measured among the people in the labour force (National Bureau of Statistics, 2009). The labour force of a country is defined by the National Bureau of Statistics (NBS) (2010) as a set of people or citizens of a country who are willing and are able to make available at any given point in time their efforts for gainful employment.

In Nigeria, accurate unemployment rates are difficult to access (Okafor, 2012). However, according to Oyebade (2003), Nigeria's unemployment can be grouped into two: the older unemployed, who lost their jobs through retrenchment, redundancy, or bankruptcy and the younger unemployed, most of who have never been employed.

According to National Bureau of Statistics (2009:238; 2010:2), the national unemployment rates for Nigeria between 2000 and 2009 showed that the number of unemployed persons was 31.1% in 2000; 13.6% in 2001; 12.6% in 2002; 14.8% in 2003; 13.4% in 2004; 11.9% in 2005; 13.7% in 2006; 14.6% in 2007; 14.9% in 2008 and 19.7% in 2009 (Okafor, 2012). Specifically as regards the age group, educational group and sex, data provided by National Bureau of Statistics (2010) further showed that, as at March 2009, in Nigeria, for persons between ages 15 and 24 years, 41.6% were unemployed. For persons between 25 and 44 years, 17% were unemployed. Also, those with primary education, 14.8% were unemployed and for those with only secondary education, 23.8% were unemployed.

Furthermore, for those with post-secondary education, 21.3% were unemployed. For those who never attended school and those with below primary education, 21.0% and 22.3% were unemployed, respectively. As regards sex, data showed that males constituted 17.0%, while females constituted 23.3%. This precarious situation in the Nigerian labour has given rise to increase in the casual employment relations in many work establishments in Nigeria, as most of the unemployed, especially the youth, make desperate efforts to survive.

Kallerberg, et al., (2000) assert that the term "casual employment" relationship implies the existence of a "permanent employment" relationship. Thus, to understand the concept of casual employment relations, it will be more appropriate to understand the concept of permanent employment relationship.

The permanent employment relationship is full-time, continuous employment where the employee works on his employer's premises or under the employer's

supervision. The central aspects of this relationship include an employment contract of indefinite duration and standardized working hours/weeks, with sufficient social benefits. Benefits like pensions, unemployment, and extensive medical coverage protect the permanent employee from unacceptable practices and working conditions. Casual employment relationship, sometimes called precarious work, on the other hand, is used to describe jobs that are poorly paid, insecure, unprotected, and cannot support a household.

Kalleberg (2000) note that, as casual jobs pay poorly, lack health insurance and pension benefits, are of uncertain duration, and lack the protection that trade unions and labour laws afford, they are problematic for workers. In recent decades, there has been a dramatic increase in casual jobs owing to such factors as: massive unemployment, globalization, the shift from the manufacturing sector to the service sector and the spread of information technology. These changes have created a new economy which demands flexibility in the workplace and, as a result, caused the decline of the permanent employment relations and a dramatic increase in precarious work (Kalleberg, 2000; Adewumi, 2008).

This form of employment is related in that it departs from the permanent employment relationship (full-time, continuous work with one employer). Casual employment may offer its own challenges and disadvantages: low wages, few benefits, lack of collective representation by unions and little to no job security and definite duration (Okougbo, 2004; Okafor, 2007, 2010; Mokwenye, 2008).

There are four dimensions when determining if employment is casual in nature. These include; the degree of certainty of continuing employment; control over the labour process, which is linked to the presence or absence of trade unions and professional associations and relates to control over working conditions, wages, and the pace of work; the degree of regulatory protection; and income level (Richardson and Allen, 2001; Gebel, 2010; Durbin and Tomlinson, 2010).

In Nigeria, the use of casual employment relations is common and the problem of casual employment is very common in many establishments, whether in indigenous, transnational or multi-national firms, either public or private industry, including telecommunications sector, oil and gas sector, power sector, banking sector

(both old and new generation banks), education sector, and so on (Okougbo, 2004; Onyeonoru, 2004; Okafor, 2007; Idowu, 2010; Aduba, 2012).

Since 2000, trade unions in Nigeria led by the Nigeria Labour Congress (NLC) have continued to oppose casual employment relations against the employers disregard for the dignity, integrity and rights of workers which are protected by the nations labour laws, constitution and International Labour Organization's (ILO's) conventions. Due to persistent pressure from central labour body, a meeting was facilitated by ILO, the NLC and Nigeria Employers Consultative Association (NECA), which reached an agreement on May 2, 2000.

The agreement, in part, specified that: Employers who still have casuals will regularize their employment; in regularizing their employment, the rates to be paid will be in accordance with prevailing procedural and substantive collective agreements in the industry, which will also be taken into account in protecting the rights of the workers. It is expected that any current arrangement in respect of the regularization, which does not conform to the above, will also be regularized with immediate effect (Odu, 2011).

The above agreement led to little respite for workers in casual employment as some multinational companies regularized the appointments of their casual staff. For instance, Paterson Zochonis (PZ) Industries regularized the appointment of 247 out of the 495 casual workers; Wahum Group of Companies regularized 278 out of its 556 casual workers; while Wempco Groups of Companies regularized 654 of the 1,004 workers; as a matter of fact, the company regularized 350 casual workers within two weeks of the NLC picketing the organization. Also, Sona Breweries confirmed 136 of its 227 workers on May 20, 2002, while 91 others were regularized later. The Drugfields Pharmaceutical, Sunplast Industries and May Farm Agro-Allied Nigeria Limited allowed workers to unionize on May 20, June 28, and August 15, 2002, respectively (Okafor, 2012).

Despite this modest achievement, the 2005 new Labour Act tinkered with section 42 CAP 437 of the former Trade Union Act. This new Act legalized casual employment relations through casualization, contract labour, abuse of occupational health and safety, and other anti-labour actions in Nigeria. Some sections of the labour Act not only specify what constitutes casual labour, but also locations and persons that engage in it, including duration. For example, section 74 subsection 3, CAP 198 of the Act specifically restricts casual jobs to a village or town for the

purpose of the construction of and maintenance of building used for communal purposes, including markets, but excluding places of worship.

However, Nigerian employers engage casuals for periods ranging from 5 to 10 years not in villages or towns but in cities, like Lagos, Abuja, Ibadan Kano, Kaduna and Port Harcourt without regularizing their appointments. This clearly violates section 7(1) of the Act which stipulates that:

not later than three months after the beginning of a worker's period of employment with an employer, the employer shall give to the worker a written statement specifying, the name of the employers or group of employers, and where appropriate, of the undertaking by which the worker if employed, the name and address of the worker and place and date of his engagement; the nature of the employment, if the contract is for a fixed term, the date when the contract expires; the appropriate period of notice to be given by the party wishing to terminate the contract, the rates of wages and method of calculation thereof and the manner and periodicity of payment of wages.

Since 2005 Labour Act, the dehumanization of Nigerian workers has continued unabated in clear violation of extant labour law, constitution and ILO conventions through casual employment relations (Okougbo, 2007; Mokwenye, 2008; Okafor, 2010). To challenge such scenario as mentioned above, the organized labour has chosen to utilize to the fullest section 42 of the old Trade Union Act to massively picket those companies (both indigenous and foreign) operating in Nigeria where it is found that their workers do not have any kind of protection as enshrined in the Labour Act despite their long years of service.

3. METHODOLOGY AND RESULT

3.1 Reasons for use of Casual labour by Employers

According to the Dual Labour Market model (Connelly and Gallagher, 2004), organizations are composed of two main groups of workers: the core (or primary) group and the peripheral (or secondary) group. Core workers are mostly "standard" or permanent employees. These employees work under the so-called standard employment relationship (SER), which, according to De Cuyper et al. (2008), has some typical characteristics: it offers continuity of employment, which gives the workers a certain level of security regarding their working situation; the employees

work in the employer's workplace and receive employer's supervision. The peripheral group is mostly "nonstandard" or casual workers (Connelly and Gallagher, 2004).

All these types of employment are different from the standard employment in aspects such as working hours, terms of the contract, access to fringe benefits and supervision received. Most of the companies have a certain number of casual workers as a way to deal with periods of decreased productivity or lower demand.

This characteristic is considered by many authors as a quantitative (or numerical) external flexibility, concerning employees who belong to the "external" part of the company and not to the "core" (Valverde, et al., 2000). There are three main reasons for employers to use casual workers: flexibility of staffing, reduction of costs and ease of dismissal (Wandera, 2011).

3.2 Staffing Flexibility

Owing to the rapid innovativeness in science and the ever-increasing competitiveness, companies have established policies of flexibility and adaptation to the economic changes in order to keep profits as high as they can (Kalleberg, 2000). Given that employment situations all over the world has become more competitive and unstable, many companies and organizations have inclined to present more flexible employment conditions, focusing on prospective tribulations (such as lower demand of the market) and the possibility of lay-offs (OECD, 2002). Most companies experience variable demands of work. When demand is high, the usual response is overtime work sometimes augmented by the recruitment of casual employees (Graham and Benett, 1995).

3.3 Reduction of Costs

Key benefit in utilizing casual employees is the reduction of recruitment costs (Allan, 2002). This is especially noticeable with agency workers actively recruited by employment agencies, rather than by their eventual employers (Forde, 2001). Recruitment services by the employment agencies are sometimes extended to the recruitment of permanent personnel (Autor, 2001). Decreasing employee costs within an organization is a critical aspect of strategic human resource management with regard to competitive global market (Allan, 2002).

In the case of the United Kingdom, the reduction of wage and non-wage costs has not been cited as a primary reason for using casual workers (Atkinson, 1996). In

other European countries, such as Greece, it was also found that costs failed to justify the use of casual workers (Voudouris, 2004). Kandel and Pearson (2001) aver that casual workers may actually be more expensive to an organization owing to increased marginal costs.

This is especially so in relation to the possible reduction of productivity that may result when casual workers take time to learn the job (Allan, 2002). Accordingly, casual employees are not cheaper in terms of wages than permanent staff. Reduction of recruitment costs is also extended to using other casual workers.

For example, in the National Health Service (NHS), casual workers may be employed temporarily from an NHS bank, which acts as an internal employment agency.

The recruitment of seasonal workers is also similar to that of casual workers, whereby in one example it was shown that organizations in the construction industry tended to embrace the seasonality of their work and, as such, hire seasonal workers from a known pool of staff (Jolliffe and Farnsworth, 2003). Fixed-term contractors may also be employed in this way, with the same contractors repeatedly employed by the same organization, especially if that organization is large and bureaucratic (Davis-Blake and Uzzi, 1993).

The occasional usage of casual workers to cover short-term absences of permanent staff may not present a particularly high cost to an organization; however, in terms of necessity, it may be essential to cover the workload of key members of staff who are absent on a short-term basis (Atkinson et al., 1996). This short-term cover may be achieved through permanent workers; increasing the amount of hours they work through overtime; or through learning new skills (Bergstöm, 2001).

However, if this is not possible, the use of casual workers may be ideal. For example, in a survey of 979 workplaces, Atkinson et al. (1996) found that 59.4 per cent of the employers used casual workers for short-term cover whilst staff members were away on holiday or sick leave. Long-term and short-term recruitment costs may be kept at a minimum by using casual workers. Nevertheless, these estimates tend to negate the managerial time spent in recruitment even if this was merely picking up the phone to a preferred supplier or contractor (Ward et al., 2001).

Human resource managers must ensure that appropriate staff members are selected on the basis of skill and organizational fit (Feldman et al., 1994). A recent

study of US-based employment agencies highlighted the need for this activity, as it was found that only 42 per cent of employment agencies checked previous places of employment and only 25 per cent checked for criminal convictions (Allen, 2002).

3.4 Ease of Dismissal

Another advantage of using casual workers is the ease of their dismissal (Allan, 2002). In the United States of America, owing to the lack of costs linked with laying-off casual workers, they were an attractive option. It was noted within organizations that operated in the unpredictable market of workload (Allan, 2002). In the UK, a strategic use of casual workers was to adjust the workforce to match demands.

This gave organizations an advantage in terms of numerical flexibility, employing “just in time” workers to cope with increased or decreased demand without resorting to making permanent employees redundant.

Although the ability to bring people to work at short notice and let them go again gives organizations tighter control on their payroll costs. This may be to the long-term disadvantage of the organization. Casual workers may be less productive as a result of their time spent in learning new tasks (Allan, 2002). Increased pressure may be placed upon human resource managers or supervisors to induct and train the new casual workers (Allan, 2002).

Further pressure may also arise as managers try to control the number of staff in accordance with workload. In addition, permanent employees may not like the extensive use of casual workers, especially if they feel their employer would like to substitute them with more precarious working arrangements. This was found in the USA by Pearce (1993), who states that the employment of contractors resulted in negative attitudes towards the organization by permanent workers.

These negative attitudes have also been extended to US-based nurses employed with casual and agency nurses and with UK permanent call centre workers working with agency workers (Biggs, 2003). Moreover, the influence of casual workers on permanent workers may be much more complicated than anticipated. This area of research has so far been hampered by the lack of, and difficulty in obtaining, control groups that may offset the influence of casual workers on permanent staff (Biggs, 2003).

3.5 Casual labour and its Impacts on Organizations

The use of casual workers by firms includes, by definition, an element of scheduled turnover. That is, by their nature, casual workers assignments have a planned ending date. However, firms that make extensive use of the casual labour market may also experience higher- than-necessary levels of unscheduled turnover when they fail to cope with human asset management dilemmas peculiar to casual workers (Breugh and Starke, 2000).

3.6 Unscheduled turnover

Unscheduled turnover is defined as the departure of casual workers prior to the scheduled end date of their assignments. This same phenomenon, viewed from the casual worker's perspective, is referred to as early withdrawal (Backhaus and Tikoo, 2004).

As unscheduled turnover occurs among casual workers, previously expected cost trade-offs between scheduled turnover and wage/benefit avoidance no longer apply, seriously threatening economic gains previously anticipated from the use of such workers. Human resource managers face an interesting conundrum in attempting to maximize the potential of casual workers.

Traditionally, client firms invest little, if any, time or effort in the integration of casual workers, precisely because the assignments are short term by definition. On the other hand, failure to effectively integrate casual workers into the firm may act to intensify the problem of unscheduled turnover (Breugh, 2008). Such actions on the part of the firm may also result in casual workers' failure to acquire an adequate understanding of others' expectations and their own role-relevant boundaries, thereby depriving the firm of their maximized performance.

3.7 Low morale

Historically, casual employees have been used to substitute for employees who are on leave, to fill in for a short time while the company screens applicants to hire a new core employee, and to expand a company's short-term ability to handle an increased volume in jobs that are peripheral to core activities. This picture is changing, in that, more often, casual employees are being used in what previously were core organizational jobs. This can have an effect on morale because both casual and core employees may be working side by side on the same job, but under different

compensation and benefits terms. In addition, casual workers may not get the same training, thereby affecting the risk level in some jobs (Bourhis and Wils, 2001).

A study by Harley (1994) showed that, regardless of size, sector or industry, there was an association between peripheral work and negative conditions in factors such as wage rates, job security, patterns of gender equality, training and career advancement opportunities, worker autonomy, as the rule rather than the exception. If these trends in casual employment growth continue, an increasing proportion of the workforce is likely to experience relatively poor working conditions. For instance as the majority of workers in peripheral employment in Australia are women, the negative effects of its growth are unequally distributed across society, reinforcing existing patterns of social inequality (Harley, 1994).

Many casual workers actually prefer permanent work and enter short-term employment relationships with the hope of obtaining employment in permanent work and skills advancement (Hippel, 1997). The longer temporary workers work as casual employees, however, the fewer new skills are learned and the less task variety experienced. Bourhis and Wils (2001) noted that casual workers are less likely than full-time workers to have voluntarily chosen their employment status.

Rogers (2000) questions the practical reality of many so-called advantages of casuals promoted by the casual employment industry, asking just how many people are appropriately employed as casuals according to the skill and qualification levels they possess, and just how many opportunities casuals have to try new occupations and learn new skills. Further, Rogers questions just how many people, as a result of having casuals in an organization, actually find permanent employment within an occupation and at a rate of pay commensurate with their qualifications.

3.8 Low levels of employee productivity

Feldman (1990) observes that the very nature of casual employment increases feelings of divided allegiance on the part of casual workers. According to Parker (1994), underemployment, meaning both underemployments in terms of hours employed and underemployment in terms of sub-optimal skill utilization makes casual workers less involved rather than more involved.

Segal (1996) found that casual workers worked an average of 33.5 hours per week, while their permanent counterparts worked an average of 39.5 hours per week.

Thus, involvement for casual workers is limited on a temporal basis alone simply because they have an average of six fewer hours per week to exercise that involvement. Perhaps even more problematically, client firms commonly view casual workers as buffers against market downturns, effectively classifying those workers as expendable. Because of this view, client firms also allocate fewer resources to training and socializing casual workers than to permanent employees (Wiens-Tuers and Hill, 2002).

This “restricted investment” on the part of client firms reinforces feelings of second-class citizenship among casual employees and has the compounded effect of limiting both involvement in, and identification with, the organization. As a result, casual workers may exhibit lower levels of continuance commitment toward the client firm than do permanent employees in whom the firm’s investment is not similarly restricted. This may reduce their productivity at work.

The growth in casual employment (i.e. dependent employment of limited duration, as in the case of fixed-term contract workers or short-term agency workers (OECD, 1999), from the mid-1980s up to now, has attracted a great deal of scholarly attention. The dominant position is that the evolution towards increasing numbers of casual employment is driven by the employer’s demand for more flexibility and innovation, and by their wish to reduce labour costs (Burgess and Connell, 2006). This seems to hint at overall favourable effects for the organization, particularly on the short-term and assessed with indicators of economic success.

Seemingly missing in this debate is a combination of a human resource management and psychological approach, namely the effects of casual versus permanent employment in terms of workers’ productive and/or contra-productive behaviours that are important for both organizations and employees in the short-term and long-term (Connelly and Gallagher, 2004).

Regarding the unfavourable consequences that can be associated with casual employment, Millward and Hopkins (1998) assert that the inexperience of casual employees, added to the lack of induction and investment in their skills, might have a negative influence over the attitudes they have concerning security and the best way to perform their duties. Regarding commitment, Felfe, et al., (2008) noted that casual

employees who chose this type of contract show less commitment compared than those who did not.

It is likely to find higher levels of commitment among workers with a relational psychological contract (permanent workers) as compared to those with a transactional psychological contract (casual employees) (Millward and Hopkins, 1998). Kalleberg (2000) observe that lack of trust, perceived unfairness, and lower affective attachment can also be related to transactional contracts. These views are similar to those found by McDonald and Makin (2000), when comparing permanent and non-permanent staff.

However, not every study has found negative consequences associated with casual employment. Regarding job commitment, Martin and Hafer (1995) and De Witte and Näswall (2003) found no significant difference between casual and permanent employees. The latter group of authors found similar results about job satisfaction. Engellandt and Riphahn (2005) found even a higher level of employee effort in casual workers compared to permanent ones. These authors argue that casual workers are more likely to work harder, although this performance level is more commonly found among employees that have a possibility of going upwards in the organization.

Feldman (1990) found similar results, pointing out that contingent workers with expectations of future permanent employment are more likely to perform at higher levels and show more commitment to work compared to those who do not have these expectations. The casual employees respond to three characteristics: they have no permanent relationship with an employer, they work less than 35 hours with any employer and the contract is of limited duration. Rousseau (1990) found that casual employees seeking a long-term relationship with their organizations, even when maintaining a transactional psychological contract, showed a more “relational” interaction with their employers, resulting in more commitment to the organization.

Engellandt and Riphahn (2005) examined why employers use short-term agency and contract company workers and the implications of these practices for the wages, benefits, and working conditions of workers in low-skilled labour markets. Through intensive case studies in manufacturing (automotive supply), services (hospitals), and public sector (primary and secondary schools) industries, they defined

the circumstances under which these workers were likely to be adversely affected, minimally affected, or even benefitted by such outsourcing. Adverse effects on compensation are clearest when companies substitute casual workers for regular employees on a long-term basis because low-skilled workers within the organization receive relatively high compensation and employment and labour law or workers and their unions do not block companies from such substitution.

4. CONCLUSION AND RECOMMENDATION

In a country like Nigeria, where youth unemployment hovers somewhere around 40 percent, employees working under such mercurial conditions for foreign employers cannot simply pickup and leave; and based on the provisional status of their employment, unionization to protest the work conditions becomes increasingly difficult. Irrespective of this, for every worker unhappy with his or her present working conditions, there are always many more potential labourers waiting at the gates of these firms begging for employment. In this regard, although foreign investment contributes heavily to economic development, governments all over Africa must work to ensure that their workers are not subject to practices that border on modern-day slave-like conditions (Rasak, 2011).

Both theoretical statements and empirical results have given reasons to equate casual employment with bad jobs from the point of work environment. Low commitment, low autonomy, lack of opportunities to develop skills and so forth appear to be typical attributes for positions in the secondary segments of the labour markets and therefore in casual employment (Parker 1994; Kalleberg and Smidt 1996; Carre, 2000).

However, according to studies which explicitly compare permanent and temporary employees, the empirical evidence for bad jobs is not as indisputable as it is with “bread and butter” issues. While assessing the situation in England, Booth (2002) did not find an overall and firm difference in levels of job satisfaction between permanent and fixed-term employees. However, some dimensions of job satisfaction indicated expected differences; problems regarding promotion prospects and job security were concentrated in casual employment.

Studies monitoring the whole European Union area seem to give analogous results. To some degree, adverse working conditions and casual employment go

together, although the link is by no means fixed. Casual employment tends to mean less autonomy at work more often in “passive” jobs. Studies showed that casual employees also worked more often over weekends and had less control over working time. On the other hand, they suffered less from the constraints of tight deadlines and experienced lower levels of stress than employees with permanent contracts.

Also, the hypothesis that dangerous work situations are transferred to temporary employees was not confirmed. (Paoli, 1997; Letourneux 1998; Bebavides, 2000; Paoli and Merillie 2001; Goudswaard and Andries, 2002) studies based on European Surveys of Working Conditions did not systematically put to the test the effect of national differences.

In other words, the whole European Union was treated as one unit. Still, political geography might be a promising way to understand the connection (Campbell and Burgess 2001). For example, in Scandinavian countries, the consequences of the new wave of non standardization of working life have, on the whole, been less dramatic compared to many Western societies (Isaksson and Bellaagh 1999; Sverke, 2000; Furåker and Berglund 2001; Aronsson, 2002).

Segmentation, together with a strong tradition of collective bargaining, might explain the fact that changes in the types of employment contract have not led to an overall decline in the quality of working life. The Finnish situation is principally in line with the other Nordic countries; the results of investigations into work environment and casual employment stress the multifaceted connections. As a general rule, the type of employment does not predict the quality of working life very well. When the psycho-social work environment was taken as a focus, task autonomy was, in fact, the only dimension where casual employment appeared as a risk for a low quality of work (Saloniemi, 2004).

However, among the oldest age groups, working as a temporary employee was linked to a risk for jobs with low control and low demands (Saloniemi, 2004). In terms of physical working conditions, the link to the employment type was, as a general rule, weak or non-existent. However, the construction industry was pointed up as an area where casual employment turned out to have a clear risk for adverse working conditions (Saloniemi, 2004).

As mentioned above, paying attention only to the daily conditions of work either in terms of work environment or income is not a satisfactory way to evaluate the connection between casual employment and bad jobs. Future prospects should play an essential role in these judgments. The question of whether casual employment is a bridge to more secure employment or a trap which condemns employees to bad jobs in the peripheral segments of the labour market is often expressed in these discussions.

Booth (2002) notes that there is some evidence that casual employment is a stepping stone to permanent work. However, the time taken to get a permanent job varies remarkably according to the type of casual employment: fixed-term employment forms a much more direct route to permanent jobs than seasonal work. Gender turns out to play a key role: for men, starting a career as a casual worker includes more risk than for women.

Experiences from France (Blanchard and Landier, 2002) cast even more doubt on rising levels of casual employment: the status of young employees has become more insecure in the wake of reforms allowing more widespread use of casual employment. In his follow-up study on transitions from casual employment to more permanent positions, Gonzales-Rendon (2004) ended up stressing the fact that casual employees cannot be treated as a homogenous group, not even in the highly segmented labour market of Spain.

After six years, 70 % of casual employees managed to obtain a permanent job. The result contradicts, to some degree, the argument that mobility between the labour market segments is highly restricted. Still, there are specific groups for whom casual employment is more like a trap leading to bad job: low education, female gender, working in the public sector and being over 30 years of age, for example, all had a negative influence on the probability of getting a permanent job. Also the type of casual employment had an important role: for casual workers permanent employment is most difficult.

Reflecting on the situation in Sweden, in totally different labour market conditions, Hakansson (2001) ended up with basically parallel results: casual employees are not a homogenous group. Even though the basic situation of casual employment in Sweden is that it is a stepping stone towards to a permanent job, the

variation between types of casual employment was remarkable. Gender division also proved to be important; in Sweden, the prospects of a more stable career were more common among women. Casual employment is an involuntary status and is associated with numerous problems in life outside work. Still, in the case of Finland, casual employment in the forms we know it– neither totally ruins the quality of working life nor places employees in completely dead-end situations.

The gap between winners and losers does not entirely follow the permanent/casual dichotomy; the division is embodied inside both groups. In other words, temporary employment can put employees at risk of a bad job; but it would be misleading to equate these two concepts unconditionally.

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