



CASUALIZATION OF WORKERS IN NIGERIA: ISSUES AND PERSPECTIVE

By

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Abstract

The practice of casualization in labour management has been one of the concepts that most Labour Practitioners have tried to streamline because of absent of a regulated legal regime. These to some extent affected the contractual relationship between the employer and the employee and the society. An excursion has been made on the role of this practices and it was discovered that the absence of a legal frame-work in addition other demographic changes in composition of labour forces was the strength and continued existence of the practice in a work environment. These have effects on the nation, social and family economic strength, which is the main catalyst of sustainable economic development. A look at the practice in some other jurisdiction seems to offer some coordinative relationship as both partners; employer and employee are given the right environment to create an affordable contractual relationship because of collective bargaining and responsibility in work environment, which makes minimal effect in terms of welfare, wages, unionization and industrial democracy. It is therefore recommended that the players in the industry should adopt the Ghana's approach where casual and temporary workers are eligible to enjoy any benefit or protection offered workers by the Labour Act or any other relevant legislation. The Nigerian Labour Law be amended having gone through second reading in the National Assembly to accommodate broad acceptability for casual workers.

Keywords: *Casualization, Issues, Perspective and Work Environment.*

1.0 Introduction

Industrialization is one of the cardinal ingredients for economic development and that presupposes all the variables of sustainable development are in place. It also means that all the factors of productions must be seen to contribute toward that expectation and one of such factors is labour.

The increasing wave of globalization and trade liberalization across the world have continued to have impacts on employment relationship. The need to cut costs and remain competitive in the global market has thrown up new forms of work with attendant effects on worker's right and the economy. Casualization and casual employment with deplorable conditions of work has become familiar practice in Nigeria work place. Trade Union Movements, Non-Governmental Organizations (NGOs) and other organized groups have condemned and protested this fast-growing cankerworm in Nigeria work place, yet this practice continues unabated. This is because lack of clarity in the government labour laws and other factors are identified, on the part of the workers and government as causes of casualization of workers. In addition, casualization of workers is also a safe haven for employers to run away from payment of terminal benefits.

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Many industrialized nations are experiencing an increase on non-standard casual or temporary employment. Casualization and casual employment is not peculiar to Nigeria, it is a global phenomenon. Globalization knows no ideological boundary and as such, its increasing wave continues to ravage across the world. The trace and continue application of this phenomenon nevertheless has created and indeed affected the rate of economic growth of most countries, Nigeria not an exception.

1.1 Meaning of Casualization

Casualization is the transformation of a work place from one employed chiefly on permanent contract to one engaged on a short-term or casual basis². It is also the engagement of workers on an occasional and intermittent basis, for a specific number of hours, days or weeks in return for a wage dictated by the terms of a daily or periodic work agreement. Feature of informal waged employment in low income development countries, continue to emerge.

The International Labour Organization (ILO) defines casual “as workers who have an explicit or implicit contract of employment which is not expected to continue for more than a short period, whose duration is to be determined by circumstances³.”

A casual worker can also be subsumed to fall under the meaning of a worker as stated in section 91(1) of the Labour Act⁴ as follows:

any person who has entered into or works under a contract with an employer, whether the contract for manual labour of clerical work or is expressed or implied or oral or written and whether it is a contract of service or a contract personally to execute any work or labour, but does not include.

- (a) Any person employed otherwise than for the purpose of the employers’ business or
- (b) persons exercising administrative, executive, technical or professional functions as public officers or otherwise or
- (c) Members of the employers, family or
- (d) Representative, agent and commercial traveller in so far as their work is carried on outside the permanent market place of the employer’s establishment or
- (e) Any person to whom articles or materials are given out to be made up, cleaned, washed, altered, or amended, finished, repaired or adopted for sale in his house or on other premises not under the control or management of the person who gave out the articles or
- (f) Any person employed in a vessel or aircraft to which the laws regulating merchant shipping or civil aviation apply.

² Casualization of work flow, Nigeria’s are being enslaved, <http://allafrica.com/stores/201506151071> p. 1

³ ILO (International Labour Office) 1883 “Bulletin of Labour statistics 1992, 3 Geneva ILO

⁴ Labour Act Cap L1 Laws of the Federation of Nigeria 2004

Similarly, section 73 of the Employee's Compensation Act 2010 states that an employee means a person employed by an employer under oral or written contract of employment whether on a continuous, part-time, temporary, apprenticeship or casual basis and includes a domestic servant who is not a member of the family of the employer including any person employed in the Federal, State and Local Government, and any of the government agencies and in the formal and informal sectors of the economy.

According to the International Labour Organization (ILO) casual work is the engagement of workers on a very short-term or on an occasional and intermittent basis, often for a specific number of hours, days or weeks in return for a wage set by the terms of the daily or periodic work agreement⁵.

The Nigeria's Court of Appeal in *Owena Mass Transportation Co. Ltd v. Okonogbo*⁶, described the practice thus:

Traditionally, casual labour refers to work conducted for defined periods and during peak business periods ... casual jobs are commonly understood as jobs that attract an hourly rate pay but very few of other rights and benefits, such as the right to notice, the right to severance pay and most forms of paid leave.

Casual employment is a form of employment that affords the workers limited choices than any flourishing of choices for people of work⁷. Casualization of the workforce occurs whenever workers are employed in a casual temporary or otherwise non-permanent and non-full-time capacity⁸.

Casualization is a form of involuntary servitude for a period of time. Casualization is making work less secure, the changing of working practices so that workers are employed on a freelance and occasional basis instead of being offered full time contract⁹.

2.0 Labour as a Means of Economic Development

Labour is one factor of production which to some extent plays vital role in economic development and national sustainability; a catalyst for real economic growth. Hence, it is stated that production, subcontracting is a major industrial strategy that could be used to lurch Nigeria into the desired industrial nation¹⁰. Therefore, the sustainability of labour as economic growth must be based on social justice, equity, national economy, political context and international uniformity.

⁵ What is Temporary Employment? ILO <<https://www.ilo.org/global/topics/non-standard-employment/wcms534806/lang-en/index.htm>> assessed 07/7/2022

⁶ (2018) LPELR – 45221 (CA) 17 – 18 G – E

⁷ O. M. Alonge, Casualization of Labour in Nigeria Bank and its Implication on Human Resources Management, *Social Science Journal*, Vol. 5 (2019), 5.

⁸ International Labour Right Forum, "The Casualization of Work: A Global Pandemic

"<http://labourrights.org.blog/200907/casualization-work-global-pandemic> accessed on 01/08/2022

⁹ B. Rasak (2011) Casualization and Labour Utilization in Nigeria. *Journal of International Labour Organization (ILO)* vol. 6:5 Pp. 1 – 35.

¹⁰ S. I. Abumere Industrial Linkages and Development in Nigeria, plays in the Development process: *Essay in Honour of Murtala A. Adetunji (Fountain Publications Ltd, Ibadan 2002)*, 205.



2.1 Social Justice

The fundamental principles and objective of labour law is to create equal bargaining power between the management and the employee based on equity and justice. Hence, Davies and Freeland pointed that “the principal purpose of labour is to regulate, to support and to restrain the power of management and the power of organized labour”. They went further to state thus:

The main object of labour law has always been, and we venture to say will always be, to be a countervailing force to counteract the inequality of bargaining power, which is inherent and must be inherent in the employment relationship¹¹.

In the attempt to set up social justice, the major thing is to protect those that cannot indeed protect themselves in the process of bargaining. Therefore, it provides social justice to employees or workers as the case may be by making sure of suitable distribution of profits and benefits between the employer and employee. In addition, it ensures that more acceptable working conditions are provided.

2.2 Social Equality/Welfare

Social welfare and equality ensure that there is adequate provision of welfare packages as well as safe working environment for the worker through the establishment of social legislations to that effect. These laws help employees improve their moral, social and material status by providing adequate wages and security measures, ensuring appropriate work plans and health services for workers. It has been concluded that relying on the common law presumption of equality of employer and employee bargaining power must be firmly rejected as myopic or a deliberate refusal to accept reality.¹² That the overriding power wielded by the employer transcends the choice to employ and under what conditions they are to be employed. In addition, there is a clear disequilibrium in the employment relations because one side (employer) is a bearer of power and the latter (employee) is not a bearer, the latter is in a position of subordination and submission, and the former in a position of command¹³.

2.3 National Economy

The fundamental objective of any nation is the ability to sustain its developmental stride. This can be possible through consistent actualization of various labour related activities like regular training and skill acquisition in order to stimulate the economy toward sustainable national economic development. it guarantees the normal growth of the sector for the development of the nation. Increase worker efficiency and meet their needs. Therefore, an efficient industry ultimately contributes a lot to improving the economy of the nation. The existence of any state or nation is to provide and safeguard the interest of the people through the provision of basic enabling instruments, which encourages growth and industrial development. To effectively do this, the various institutions of government must to some extent encourage the observance of the rules, order, conditions and provisions of an enabling

¹¹ P. Davies and M. Freeland, Kahn Freund's *Labour and the Law* (Stevens & Sons, 1983), 15.

¹² O.V.C Okene, *Labour Law in Nigeria: The Law of work* (Claxton & Derrick Ltd, 2012), 5.

¹³ M. T. Okorodudu-Fubara, *The workers and privatization of public Enterprises in Nigeria* (Ile-Ife Adepegba Printing Press, 1988), 2.



atmosphere for the actualization of economic growth, which is the fundamental catalyst for sustainable development¹⁴.

3.0 Casualization Issues and Matters Arising

Casual employees apart from having legal rights to be given written contracts of employments, to enjoy break-time, have regularity in the payment of their wages and take maternity leave, they are also entitled to earn the minimum wage as guaranteed under the National Minimum Wage Act¹⁵ and to enjoy the benefits under the Contributory Pension Scheme. In other word, every worker whether casual or not has a right to remuneration which is the value in terms of monetary reward paid to the worker whether daily, weekly, monthly or however, agreed between the parties for services or work done by the worker. This is about entitlement to wages and when some ought to be paid¹⁶. Section 15 of the Labour Act provide thus: wages shall become due and payable at the end of each period for which their contract is expressed to subsist and other period as may be agreed upon. However, where the period is more than one month, the wages shall become due and payable at intervals not exceeding one month. This section seems to forbid an employer from withholding the employee's salary beyond a month period. Going by the current scourge of non-payment of salaries by some state governments in Nigeria for several months, one wonders the potency of this section as to whether by it the court can order the affected states to perform that duty. The reality is that, this aspect of the law is more obeyed in breach than in observance. Payment of salary is not just a worker's right but it is a right with a statutory flavour and therefore places an onerous duty on the employer to ensure that the employee is remunerated as and when due and not at the pleasure of the employer.

Whereas casual employment accounts for between 60 – 90% of workers in Nigeria, the Labour Act did not provide a legal framework for the regulation of terms and condition for these work arrangements¹⁷. This is the position despite the gamut of statutes on labour and industrial relation law in Nigeria. In any case, section 73 of the Employee's Compensation Act 2010, which merely in some sense stated in the definition of employee that a casual worker is also an employee in a work place.

An employee is entitled, whether full time or casual to safe working environment devoid of any form of hazard. The employer must ensure that an employee is not exposed to avoidable risk¹⁸. Provision of safety gadgets and apparatus is a sine qua non to the protection of the health of the casual employee. An employer who provides substandard equipment to be used by his employee to carry out their work does so to his own detriment. A casual employee is entitled to compensation, which is conferred by the Employee's Compensation Act 2010.

The casual worker also has a right to freedom from discrimination and harassment of any form as well as respect and dignity of his human person. This is provided in section 42(1) and (2) of the 1999 Constitution of Federal Republic of Nigeria as amended. Under the Fundamental Objectives and

¹⁴ C. A. Nwanyanwu and C. O. Ajie, Sustainable National Development: Need for every Institution to be active; *Port Harcourt Law Journal*, vol. 7, No. 1, 2018, 1.

¹⁵ S.9 of the minimum Wage Act Cap

¹⁶ *Ekpe V Mid-West Development Corporation* (1967) NMLR 407; *George Erabor V Incur Nigeria Ltd* (1975) 4 Sc 1; Section 15 of the Labour Act 2004, LFN.

¹⁷ O. Animesheun (2002) Casualization and Casual employment in Nigeria: Beyond Contract, *Labour Law Review* Vol. 1 No. 4, Pp 14 – 34.

¹⁸ *Wilsons Clyde Coal Co. V English* (1938) Ac 57; *Western Nigeria Trading Co. Ltd v Busari Ajao* (1965) NMLR 178.



Directive principles of State Policy, the social order of Nigeria is founded on ideals of freedom equality and justice¹⁹. Section 17(3) (a) of the same constitution prohibits discrimination in the work place and provides that the state shall direct its policy toward ensuring that all citizens without discrimination on any group whatsoever have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment. Even, the ILO Equal Remuneration Convention, 1951 and the Discrimination (Employment and Occupation) Convention, 1958, which Nigeria have ratified heavily lean against all forms of labour discriminations. Unfortunately, this legislation are often obeyed only in breach. The casual workers suffer a lot of discrimination when compared to their counters in permanent employment especially with regards to remuneration, work benefits and classification.

Apart from the above stated shortcomings surrounding casualization, other vital issues need to be considered that seems to re-engineer the subsistence of casualization of workers in Nigeria.

The obvious over-saturation of eligible workers has led to desperation of young people who are in dire need of a means of livelihood. They have no choice but to accept any form of employment, so long as they are being paid. According to Mr. Nasir Kabir, NLC's Organizer on Anti-Casualization has identified desperation of our teeming youths as a contributory factor. He described labour issue as worrisome despite efforts made by the NLC to kick against the practice.

Another troubling issue is the employers increasing desperation to cut down organizational cost; as casualization of employment is seen as an appropriate strategy for cost reduction because the disparity between the wages of casuals and permanent workers is so wide, and casual workers are often treated like second-class citizens. Casual workers are not entitled to pension, housing fund, National Health Insurance Scheme, bonuses or profit sharing, while their salaries are often slashed arbitrarily.

Sabotage amongst the Nigeria Labour Congress members showed that whenever NLC received a complaint regarding casual employment, it immediately swung into action, picketed some companies, while others shut down until the right thing was done (after an ultimatum of two weeks to desist from that practice). However, some Union Executives would go behind and collude with employers of labour to frustrate the efforts to tackle the menace of workers' casualization. For example, the NLC is a body controlling affiliates and the bankers' union is affiliated to the NLC but the major problem is that the union's officials connived with the executive directors and directs these banks to support the practice with some financial understandings and playing down on the fight.

The local industries, especially the manufacturing sector, groan under soaring energy cost occasioned by perennial power failure and the recent radical removal of the fuel subsidy multiple and oppressive tax regimes and unsustainable bank interest rates. The resultant massive unemployment in the country has forced many graduates to queue for casual jobs.

4.0 Causes of Casualization

¹⁹ S. 17(1) Constitution of the Federal Republic of Nigeria, 1999, Cap. C. 38, Laws of the Federation of Nigeria, 2004



(i) Deregulation of Labour Market

The increase in capital mobility and deregulation of the labour market is a major cause of casualization in Nigeria. Deregulation is a measure, which tend to remove institutions of labour market regulation in addition to reducing legal interventions in the relationships between employers and individual employees to a minimum. Deregulation of labour market and flexibility in terms of working conditions and no special consideration and follow-up of labour laws and the likes makes companies and organizations to recruit workers that are more casual.

(ii) Globalization and Trade Liberation

Regular practice of this concept of trade and capital liberalization led to growth of the informal sector with peculiarity for informal employment under abhorrent conditions. In most advanced economies, the practice of globalization and trade liberalization have made many enterprises to resort to the engagement of contract labour, part-time, temporary work and others in order to cut cost and remain competitive in the global market. Employers argued that the growth is influenced by demographic changes in the composition of the labour force.

(iii) Lack of Clarity in Labour Legal Framework

Motivating casualization is the lack of clarity in some legal framework concerning employee categories. The stagnation by labour laws with increasing inability of labour to flow or migrate to other work organization or other parts created room for consistent practice of this concept. However, until recently the workers Compensation Act 2010. Section 73 provided a nearly conceptual meaning of labour to also mean casualization.

(iv) Technology and Abundance of Labour

The introduction of Technology in work place has drastically reduced the number of workforce needed in a work environment. The saturated labour market filled with graduates and non-graduates, retrenched workers who daily compete for few positions and desperately jump at poor form of employment²⁰. The abundance of labour supply and the inability of the employers to pay decent remunerations has led employers to be tempted to adopt cost-cutting measures, including downsizing, cutting back on employment and the off-shoot being the current predominance of casual workers.

(v) Demographic Changes in the Composition of Labour Forces

Most women now seek employment and in fact work part time to complement their traditional home keeping roles, which employers readily exploit.

Unregulated childbirth in some part of the country, which considers polygamy as a form of custom to be subscribed, has consequently created multiple labour force, and absent of child/human development from the parents and guardians, led to multiple childbirth with no means of capacity development. Hence, abundance of child and casual labour and increase in criminal vices.

(vi) Terminal Benefit Payment Requirement

²⁰ E. O. Madekoromo *Labour in Nigeria Urban Centre Journal of Social Science* 9, 2004, p. 207 – 213.



The demand by labour regulations to pay decent remunerations, allowances, terminal and several other benefits to employees has prompted many employers to decide that they simply cannot afford to hire workers on permanent bases because they will have to pay all these including huge pension benefits.

(vii) Absence of enabling Environment for Business

The increasing absence of substantial infrastructure and the lack of enabling environment for business to successfully operate has also contributed to the casualization of workers, as organizations are forced to fend for such needed infrastructures such as manpower skill and technical know-how and many other needs instrumental to labour environment.

5.0 Effects of Casualization in the Nigerian Economy

Under the Nigerian law, there is no accruable benefit contemplated by the law in the sense that the privileges and benefits available to permanent employees are not accruable to casual workers. The law does not recognize them and affords them equal opportunity with the permanent workers. Although they are actually paid their wages but not the same remuneration and benefits as permanent employees, such as annual leave, personal leave, paid days off on a public holiday and redundancy pay. Instead, they are typically paid a casual loading in lieu of these entitlements. Its continuity exposes the governments and corporate concerns pursuit for maximization of profits as against its responsibility to provide enabling environment for economic activities to thrive²¹.

(i) Casual Workers Do Not and Are Not Allow to Unionise

Casual workers are stripped of the right to join trade unions; they may not be able to effectively negotiate with employers for better working conditions. They may also not be in a position to access or secure other rights or any form of social protection, from their either employers or state.

Casualization threatens the direct or indirect replacement of permanent workers by casual workers. The negative consequence for individual employees readily extends out to negative effect on families and the society.

Through casualization of employment, job security is reduced and workers are forced to negotiate their positions on their own, which makes them vulnerable to exploitation. In addition, instability leads to economic insecurity for the workers and their families. Such precarious situation affects a worker experience at work, how he or she makes decisions about work and political issues and how such individual relates to the broader labour environment.

However, casual workers, who ordinarily should be able to unionize if they were permanent workers, are not allowed to belong to unions and have no collective body to advocate for their rights. The implication is that they can be retrenched based on redundancy at any time without being notified of the reason or the extent of the intended redundancy. The workers are sometimes not even given any redundancy payment before they are laid off. Casual workers not fully protected by some universal codification.

²¹ R. Hall outsourcing contracting out and labour live, implications for Human Resource Development in Australian Organization, *Asia pacific journal of Human Resources* (2000) 38(2), Pp 23 – 41.

(ii) Absence of Living Wages

It is worthy to note that though there are no specific international provisions protecting casual workers, various international conventions advocate for decent work and right of employees²².

For instance, the Universal Declaration of Human Right 1948 (UDHR)²³ makes provision for the right to work and receive wages that contributes to an adequate standard of living, the right of freedom of association, the right of protection from forced labour, the right to adequate working conditions, clean and safe environment, the right to education, the right to freedom of discrimination based on race and sex. Employee shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment. The law also provides for equality of opportunity and treatment in employment, including equal remuneration for men and women for work of equal value and prevention of discrimination in respect of employment and occupation²⁴.

From the above, it can be seen that even though a casual employee is not a permanent staff, he or she is still protected by a number of international treaties. However, there are a number of benefits accruing to, and issues associated with a permanent staff that a casual worker does not enjoy. Such benefits like severance packages.

(iii) Job Security

There is no doubt that casual workers do not enjoy any form of job security at all. A casual worker is not even entitled to prior notice of termination or even a severance package except it is explicitly agreed in the contract of employment. The employer also does not need to adduce any reason for terminating the casual employee's employment before the stipulated period.

It can be deduced from the above that the casual worker has little or no job security. Most employers might want to go down the route of employing casual workers, to escape certain responsibilities that come with fully employment. This may have account for some countries to check such whims, and as such have various prohibitions on the nature and duration of casual employment, e.g. France, Brazil, Angola and Belgium that have the range of between 2 – 5 years duration for casual employment to terminate and transit to full employment²⁵.

A brief look at some jurisdictions on the practice of casualization:

6.0 Ghana Experience

Casualization is a global phenomenon. The only reason of divergence is the degree of state control including the strategies put in place to curb the practice.

Ghana adopted wholistic reforms of its labour laws in 2003; made attempt to harmonize its various labour legislations, and consolidated it into a single Act known as the Labour act No. 651 of 2003. The

²² O. G. Wosu, Rethinking the Legal Status of Temporary (casual) workers in Nigeria, 2018 <http://www.nigerianjournalism.com> accessed 6.01/2023

²³ UDHR, Article 4, 20, 23 and 25

²⁴ International Labour Organization Convention, 98 of 1949, Article 1.

²⁵ Maria Aleksynaka and Angelika Muller, nothing more permanent than temporary? Understanding Fixed-Term Contract <http://www.ilo.org/wcmsp/groups/public/...ed/document/publication/> accessed 12/12/2022.

Act became one of the most comprehensive labour legislations in the world, in that it combines in a single Act subject hitherto covered by separate legislations. One of the interesting aspects of the Act is the definition of a “worker” to mean a person employed under a contract of employment whether on a continuous part-time, temporary or casual. The implication of this definition is that casual and temporary workers are eligible to enjoy any benefit or protection offered workers by the Labour Act or any other relevant legislation. Therefore, a Ghanaian employer, unlike her Nigerian counterpart, cannot therefore lawfully discriminate against workers in casual or temporary employment. Every worker, whether part-time and temporary workers and as such these endangered and vulnerable species of workers are entitled to the legal protection offered by the right of the Act.

6.1 United States of American

In the United States, current labour laws and the design of social security insurance programmes were based on the traditional industrial relations notion that most workers have regular full-time employment with a single employer²⁶. In 2021, the concept of casual employment was different to the purist idea that started out that of *ad hoc* work, no promises or expectation that it would continue, with a modest premium on the hourly rate. It is now not unusual to hear stories about casual employees engaged consistently over many years by the same employer and later claiming permanent employee entitlements. The passage into law in 2021; of the fair work Act makes three major changes by introducing the following, namely,

- (i) Statutory definition of “casual employee” into the Act, which gives primacy to the parties’ relationship when the employment commences.
- (ii) Limited entitlement to convert from casual employment status to permanent employment under the National Employment Standard (NES).
- (iii) Statutory power obliging a court to offset any casual loading paid against any shortfall amount being claimed by an employee where it is later determined that the employee should have been treated as permanent.
- (iv) It amends provisions relating to notice of termination and severance entitlements to clarify that service as a casual prior to converting to permanent employment does not count toward the employee’s length of service²⁷.

7.0 Casualization, Benefits or Destructions in Business Environment

The practice of casualization in Nigeria and all other countries cannot be effectively regulated because of the associated benefit these organization received even where the practice is frowned at.

The following are the challenges of casual workers:

- (i) The part of the pains casual workers go through is that they never benefit from special packages as if others in permanent employment do receive, e.g. Allowances, transportation.

²⁶ Ibekwe: Legal Implications of Employment casualization in Nigeria. A cross National Comparison, *NAUJ IJ* (2016) P 85

²⁷ *AMWU V Donau Pty Ltd* (2016) FWCFR 3075

- (ii) Workers in this category have suffered from one degree of injury or the other in the course of discharging their duties and responsibilities without any compensation for the victims. This often ranges from minor to permanent disability which has forced some of these workers out of jobs, precipitately analysts say that situation of the country had made the unemployed to see casualization as a big relief.
- (iii) Casual employees have less access to professional development opportunities, and are often less skilled than their permanent colleagues.
- (iv) The casual worker who perceives their employment as insecure or short lived may have an equally poor commitment to the philosophy and goals of the workplace.
- (v) Casual worker may have a negative effect on company culture and employee morale, particularly when casual employee outnumber permanent employee in an organisation.

However, scholars have posited that casualization have its' advantages, which include:

- (1) It makes for efficient and effective utilization of the workforce, as workers tend to work harder to be engaged on an hourly, daily, weekly or monthly basis.
- (2) Most contract jobs for instance, construction of roads and other forms of likely jobs do not require permanent staffing since the job is for a very short period of time. In such case, it will be useless engaging a permanent staff and laying them off in a short while when the contract is subsisting.
- (3) A casual workforce certainly holds another advantage especially for particular classes of enterprise. The ability to quickly release an inefficient worker, reduce, or expand labour cost over rights to meet budget challenges is certainly appealing in the short term to the enterprises.

8.0 Conclusion and Recommendation

The total eradication of casualization practice is virtually impossible judging from the practise of this in other jurisprudence where the relationship of the employer and the employee is more co-ordinated and regulated creating collective relationship in the workplace.

What is lacking particularly in Nigeria is the fact that there is no effective legal framework to streamline the practice where parties to contract of employment are expected to work in line with the legal regime designed to regulate the practice. The Ghana model should be adopted to give room for collective responsibility because it is a global phenomenon. It is recommended that laws must ensure fair and sufficient compensation as well as good welfare packages for all categories of workers through unrestricted legitimate rights to Union activities, collective bargaining and other statutory engagement.

It is therefore suggested that the legislatures should enact laws that tends toward protecting casual workers through ensuring that they have equal benefits and entitlements as received by their permanent counterpart in the same work environment.