

## THE INTERSECTION OF LABOUR LAW, CORPORATE GOVERNANCE AND THE SEXUAL AND REPRODUCTIVE RIGHTS OF WORKING-CLASS WOMEN IN NIGERIA\*

### Abstract

This article analyses the intersection of labour law, corporate governance and the sexual and reproductive health and rights (SRHR) of working-class women in Nigeria. Statutory labour safeguards, particularly those outlined in the Labour Act, establish a fundamental baseline for maternity protection; nonetheless, they are constrained in terms of duration, scope, and enforcement. The corporate governance frameworks in Nigeria, particularly the Nigerian Code of Corporate Governance, advocate for board diversity; nevertheless, they do not mandate the incorporation of sexual and reproductive health and rights (SRHR) into business policy, risk management, or environmental, social, and governance (ESG) reporting. Using the doctrinal approach, judicial decisions and governance codes, and drawing on comparative international instruments (ILO Conventions, CEDAW, and the Maputo Protocol), the article demonstrates how corporate governance can and should complement labour law to protect SRHR. The article incorporates Nigerian case law from the National Industrial Court that addresses pregnancy, maternity and sexual harassment at work. This article concludes that labour law and corporate governance can intersect to protect the SRHR of working-class women in Nigeria. This article recommends a combined approach i.e. labour law reform and corporate governance reform so that active stakeholder engagement will deliver improved SRHR outcomes, workplace equality and societal benefit.

**Keywords:** Corporate Governance, Labour Law, Sexual and Reproductive Rights, Nigeria

### 1. Introduction

The involvement of women in the Nigerian labour force has increased in both formal and informal sectors; nonetheless, working-class women still face workplace practices that compromise their sexual and reproductive rights.<sup>1</sup> Common issues encompass inequitable treatment during pregnancy and lactation, insufficiently compensated and brief maternity leave, inadequate workplace health safeguards for pregnant and nursing women, and sexual harassment. The Labour Act includes regulations on maternity leave and restricted breastfeeding breaks; yet, statutory deficiencies and enforcement failures render women susceptible.<sup>2</sup> Corporate governance frameworks intended to ensure firm accountability and sustainable value creation have a largely untapped potential to address these gaps. This article analyses how labour law and corporate governance intersect in protecting (or failing to protect) the SRHR of working-class women in Nigeria.

### 2. Conceptual Clarifications

Labour law (or employment law) is the branch of public and private law that governs the relationship between workers, employers, trade unions, and the state.<sup>3</sup> It delineates the legal framework for employment contracts, working conditions, remuneration, health and safety, collective bargaining, termination, and protection against discrimination.<sup>4</sup> In Nigeria, labour law is underpinned by instruments like the Labour Act, which regulates employment terms, maternity leave, and protection of pregnant/nursing workers. It also intersects with the national constitution and international labour standards.<sup>5</sup> Labour law is designed not merely to ensure economic productivity, but also to protect the dignity of workers and to address power imbalances in the employment relationship. In the case of *Pastor (Mrs) Abimbola Patricia Yakubu v Financial Reporting Council of Nigeria & anor*,<sup>6</sup> the National Industrial Court of Nigeria (NICN) construed its constitutional jurisdiction to encompass cases of discrimination and sexual harassment in the workplace, explicitly recognising its capacity to apply international labour standards in the interpretation of domestic labour rights. This highlights the enforcement of labour law in Nigeria, acknowledging both domestic and international commitments. Corporate governance denotes the framework of structures, regulations, and procedures through which a corporation is managed and regulated, specifically concerning the distribution of rights and responsibilities among its diverse stakeholders, including shareholders, the board of directors, management, employees, and the broader community.<sup>7</sup> Corporate governance is often framed as the mechanism that ensures accountability, transparency, and long-term value creation while balancing the interests of different stakeholder groups.<sup>8</sup> In the Nigerian context, corporate governance evolved significantly, with the Nigerian Code of Corporate Governance (NCCG) 2018 laying out principles for board diversity, stakeholder engagement, and ethical

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<sup>1</sup>Dosumu Akinola George and Olayemi Jacob Ogunniyi, 'The Historical Development of Women Career in Corporate Sector in Nigeria' [2014] 3(1) *Asian Journal of Social Sciences & Humanities* 48.

<sup>2</sup>BO Adedeji and O.I Ajayi, 'Women, Their Rights, and Workplace Discrimination' (2018) 67 *International Affairs and Global Strategy Journal* 22-25.

<sup>3</sup>ICLG, 'Employment & Labour Laws and Regulations: Nigeria' (2025) <<https://iclg.com>> accessed 20 November 2025.

<sup>4</sup> *Ibid.*

<sup>5</sup>Y. J. Terdoo, 'CEDAW and the Labour Act: Protecting Women from Workplace Discrimination in Nigeria' (2021) 8 (3) *NAUJCP* 55

<sup>6</sup> Unreported Suit No NICN/LA/673/2013

<sup>7</sup> Moses Omozue, 'Critical Appraisal of Corporate Governance Codes and their Mechanisms in Nigeria' (2021) 3(3) *IJOCLLEP*, 127

<sup>8</sup> *Ibid.*

oversight.<sup>9</sup> Scholars note that good governance in Nigeria not only enhances financial performance but is also crucial for restoring market trust and attracting long-term investment.<sup>10</sup> While corporate governance *per se* is not always litigated in the same way as labour disputes, its role underpins many employer obligations. For example, corporate governance failures may exacerbate workplace rights violations such as sexual harassment which are then litigated in courts. Thus, the judicial enforcement of labour norms often implicitly tests a company's governance culture and mechanisms.

Sexual and reproductive rights are human rights that enable individuals particularly women to make autonomous decisions regarding their sexuality and reproduction. This body of rights includes access to sexual health services, contraception, safe pregnancy and childbirth, information, education, freedom from coercion or violence, and the ability to decide whether or when to have children.<sup>11</sup> From a legal and normative perspective, sexual and reproductive rights are rooted in international human rights instruments (such as CEDAW and regional instruments) and are increasingly being viewed through a rights-based, rather than purely public health, lens. In Nigeria, while there is no single, unified law dedicated solely to SRHR, these rights are partially protected through constitutional guarantees, human rights law, and general health legislation.<sup>12</sup> The National Industrial Court has recognised workplace sexual harassment as a violation of an employee's dignity and discrimination rights. In the case of *Ejike Maduka v Microsoft Nigeria Ltd & Ors*,<sup>13</sup> the court held that sexual harassment constituted discrimination under applicable international conventions (such as CEDAW) and found Microsoft (Nigeria and its parent) vicariously liable for the acts of its manager. This decision reflects the court's willingness to interpret labour/employment rights in light of broader sexual-rights norms. In the workplace, sexual and reproductive health and rights connect with labour law and corporate governance through matters such as maternity leave, breastfeeding provisions, sexual harassment, occupational health for pregnant employees, access to reproductive health information, and non-discrimination rules. Guaranteeing sexual and reproductive health rights in workplace environments necessitates both legal safeguards and institutional policies that uphold women's bodily autonomy and reproductive decisions.

### **3. Labour Law and SRHR in Nigeria**

The Labour Act ensures maternity protection. Section 54 grants a woman the right to take leave from work upon presenting a medical certificate indicating that her confinement is imminent within six weeks; it allows for six weeks of leave prior to and six weeks following childbirth, and mandates nursing breaks of half an hour twice daily upon her return to work.<sup>14</sup> The Act provides a minimum wage replacement during maternity for women who have been continuously employed for at least six months (at least 50% of wages) and prohibits dismissal of a woman on account of pregnancy or during maternity leave.<sup>15</sup> While these provisions offer a statutory baseline, they fall short of international best practice. For example, the ILO Maternity Protection Convention (No 183) recommends broader protections and measures to ensure health and job security for the mother and child.<sup>16</sup> Significant enforcement and coverage gaps persist. Protections often do not reach informal or casual workers who make up a large share of working-class women. Labour inspection capacity is limited and prosecutions under maternity provisions are rare in practice. Academic studies and policy reports have documented the limited effectiveness of the statutory protections in practice.<sup>17</sup> Nigeria's national reproductive health and gender policies provide policy direction but lack enforceable workplace-specific obligations. Regional and international instruments like CEDAW, the AU Maputo Protocol, and ILO Conventions all establish higher normative standards that Nigeria is expected to respect and progressively fulfil.<sup>18</sup>

### **4. How Corporate-governance Law in Nigeria has Promoted Women's SRHR in the Industrial Sector**

Corporate governance law in Nigeria has increasingly acknowledged the importance of gender diversity and the need to improve women's representation and rights within corporate structures. Emerging regulatory frameworks and corporate governance codes indirectly support these rights through the promotion of gender equity and diversity policies.<sup>19</sup> The Nigerian legal framework, including the Companies and Allied Matters Act (CAMA, 2020) and the recent Financial Reporting Council's Code calls for gender diversity on boards which some of the rules are: Sustainable Banking Principles

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<sup>9</sup> Monica Amujo-Akomolafe, 'Legal Framework for Corporate Governance in Nigeria: An Appraisal of the 2018 Code of Corporate Governance' 2023 2(1) *ABUAD Private & Business Law Journal*, 41-65

<sup>10</sup> Yakubu Shaba & Sa'idu Idris, 'Corporate Governance in Nigeria: Evolution, Regulatory Frameworks and Challenges' *Asian Journal of Economics, Business & Accounting* <<https://journalajeba.com>> accessed 20 November 2025

<sup>11</sup> N. I. Ijeoma Aniekwu & Public Law, 'Considerations for Reproductive Health Laws in the Nigerian Legal System' (LawGuru) (rights-based approach)

<sup>12</sup> Obinna B. Obi, 'A Critical Analysis of the Legal Regime of Reproductive Rights in Nigeria' (2023) 7(1) *AJLHR*, 64

<sup>13</sup> NICN LA/492/2012

<sup>14</sup> Labour Act (Cap L1) s 54.

<sup>15</sup> *Ibid.*

<sup>16</sup> ILO, 'Maternity Protection Convention (No 183) (2000)' <https://www.ilo.org/resource/c183-maternity-protection-convention-2000>. Accessed 20 November 2025

<sup>17</sup> Alive & Thrive, 'Maternity Entitlements in Nigeria: Policies and Practices (2019)' [https://www.aliveandthrive.org/sites/default/files/attachments/Maternity-Entitlements-in-Nigeria-Policies-and-Practices\\_FINAL.pdf](https://www.aliveandthrive.org/sites/default/files/attachments/Maternity-Entitlements-in-Nigeria-Policies-and-Practices_FINAL.pdf). Accessed 20 November 2025

<sup>18</sup> UN, 'Committee on the Elimination of Discrimination Against Women, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)' <https://www.un.org/womenwatch/daw/cedaw/>; African Union, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa ('Maputo Protocol') <https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-women-africa>. Accessed 20 November 2025

<sup>19</sup> K. Kolawole, 'Legal appraisal of corporate governance and gender diversity in Nigerian corporate boards' (2020) <<https://www.lawjournals.org/assets/archives/2020/vol6issue2/6-1-52-196.pdf>> accessed 18 September 2025.

by Central Bank of Nigeria 2014 mandates 30 percent women on the board of Nigerian banks<sup>20</sup>; Securities Exchange Commission Corporate Governance Guidelines for Listed Companies 2014<sup>21</sup> mandates listed companies to consider gender when selecting board members; Principle 2 of Nigerian Code of Corporate Governance 2018 (NCCG 2018) provides for board structure, composition, board diversity (including gender) and balance of skills on the board. Although, they lack mandatory enforceable quotas, leading to underrepresentation of women in corporate leadership roles. Scholars advocate for mandatory quotas and stronger legal measures to ensure gender balance on corporate boards, which is argued to enhance board effectiveness and ethical business practices through diverse perspectives.<sup>22</sup> Nigeria's corporate governance transformation over the last decade has two complementary pillars. First, statutory reform via the CAMA modernised company law obligations relating to transparency, directors' duties and stakeholder engagement, thereby creating a legal environment conducive to best-practice governance inclusive of gender considerations.<sup>23</sup> Second, the Financial Reporting Council of Nigeria (FRCN) Code of Corporate Governance 2018 (NCCG 2018) signals a normative shift by explicitly requiring boards to consider diversity including gender when structuring boards and nominating directors.<sup>24</sup> The NCCG provides a soft-law instrument that firms may adopt to demonstrate alignment with international best practice and investor expectations. The code advocates for gender representation that can promote gender-sensitive workplace practices, providing an environment where the rights and welfare of women (including sexual and reproductive rights) are elevated as part of good governance, ethical standard and stakeholder's inclusion.<sup>25</sup> Sectorial regulators have reinforced these shifts. The Central Bank of Nigeria (CBN), through corporate governance circulars and the Nigerian Sustainable Banking Principles, has required practical measures to achieve gender diversity in banking boards and senior management. Recent CBN instruments and circulars continue to emphasise gender inclusion as part of fit-and-proper and governance expectations for deposit money banks.<sup>26</sup> The banking sector, subject to CBN directives and sustainability principles exhibits the most progress. Studies and institutional reports show higher female representation in leadership and attendant policy reforms (extended maternity provisions, flexible work practices, and staff-wellness programs).<sup>27</sup> This sector's practices are well documented in both regulator circulars and corporate case studies.<sup>28</sup> Large industrial multinationals (oil & gas, manufacturing) operating in Nigeria often follow parent-company governance and global ESG standards that require attention to workforce gender inclusion and health and safety standards that intersect with SRHR (e.g. occupational exposures affecting reproductive health). These firms have adopted maternity and occupational health policies aligned with global expectations; local boards with women are more likely to prioritise such measures. Although explicit corporate governance laws addressing women's SRR in the industrial sector are lacking, corporate governance practices promoting gender equality contribute indirectly to improved workplace conditions for women. By fostering environments that support women's career progression and participation, companies are more likely to integrate gender-sensitive health and welfare policies, including maternity leave, reproductive health benefits, and protection against gender-based violence.<sup>29</sup> The harmonization of corporate governance codes with national and international women's rights laws to mainstream SRHR within industrial governance frameworks will ensure sustainable and equitable workplaces for Nigerian women.<sup>30</sup>

### 5. Intersection of Labour Law and Corporate Governance on Sexual & Reproductive Rights

Corporate governance and labour law converge significantly in safeguarding the sexual and reproductive rights (SRHR) of employed women. Labour law establishes the foundational legislative protections, minimum standards, and enforceable rights, whereas corporate governance provides the frameworks for internalising, monitoring, and enforcing those rights within organisations. Gender-responsive governance structures can convert labour legal entitlements into actual workplace practices that uphold bodily autonomy, guarantee safe working conditions, and avert harassment. Nigeria's adoption of ILO Convention No. 190 on Violence and Harassment necessitates legal change and corporate accountability for gender-based

<sup>20</sup> KPMG.2021. Women on Boards. KPMG Nigeria Board Governance Centre .March.pg 2 accessed on the 11th September , 2023 from <https://assets.kpmg.com/content/dam/kpmg/ng/pdf/advisory/women-on-boards-thought-leadership-march2021.pdf>;

Principle 4 of the Nigerian Sustainable banking principles 2012(issued by Central Bank of Nigeria) as accessed from <https://www.cbn.gov.ng/out/2012/ccd/circular-nsbp.pdf> promote women's economic empowerment through a gender inclusive workplace culture in our Business Operations and seek to provide products and services designed specifically for women through our Business Activities.

<sup>21</sup> Udoh, E. 2023. Promoting Gender Equality in Corporate Boards in Nigeria: A Moral and Legal Imperative as accessed on 7th Feb, 2024 from [https://www.linkedin.com/pulse/promoting-gender-equality-corporate-boards-nigeria-moral-ememudoh?utm\\_source=share&utm\\_medium=member\\_ios&utm\\_campaign=share\\_via](https://www.linkedin.com/pulse/promoting-gender-equality-corporate-boards-nigeria-moral-ememudoh?utm_source=share&utm_medium=member_ios&utm_campaign=share_via) Accessed 20 November 2025

<sup>22</sup> Ekundayo Veronica and Temi Odusanya, 'Legal Appraisal of Corporate Governance and Gender Diversity in Nigeria's Corporate Boards' (2020) <https://rgu-repository.worktribe.com/output/2002402/legal-appraisal-of-corporate-governance-and-gender-diversity-on-nigerias-corporate-board> Accessed 20 November 2025

<sup>23</sup> Section 279(3) of the Companies and Allied Matters Act 2020

<sup>24</sup> Section 11(c) and 51(c) of CAMA.

<sup>25</sup> Bolanle Adejube, 'Proliferation of gender diversity in corporate governance in Nigeria: breaking the glass ceiling' [2024] 8 (1) *AJLHR* 152.

<sup>26</sup> IFC, Women on board in Nigeria 2019, @ <https://portal.dcsf.com.ng>

<sup>27</sup> Jennifer Iwueze & Megan Dwyer Baumann, advancing women as leaders in Nigeria's finance industry, 2022 @ <https://www.womensworldbanking.org> accessed 15 September 2025

<sup>28</sup> (e.g., Access Bank's Women's Network and industry reports).

<sup>29</sup> O C Igidigba, 'Promoting Sexual and Reproductive Health and Rights for Women and Girls in Nigeria' (2024) *European Journal of Medical and Health Research* <<https://ejmhr.com/index.php/journal/article/view/338>> accessed 18 September 2025

<sup>30</sup> L Akhrome-Omonfuegbe, 'A Critical Appraisal of Women's Reproductive Rights in Nigeria' (2024) <<https://nigerianlawguru.com/wp-content/uploads/2024/09/A-critical-appraisal-of-womens-reproductive-rights-in-nigeria.pdf>> accessed 18 September 2025

violence and sexual harassment.<sup>31</sup> The Convention requires Member States to enact workplace policies, assess psychosocial risks (including sexual harassment), and set up ‘safe, fair and effective’ reporting and dispute-resolution mechanisms.<sup>32</sup> Nigeria ratified C190 in 2022, signalling a legal commitment to these standards.<sup>33</sup> Through labour law, employees should be protected from sexual harassment, gender-based violence, and other forms of coercive conduct that infringe on reproductive autonomy and dignity.

At the same time, corporate governance frameworks such as the Nigerian Code of Corporate Governance (NCCG) 2018 offer a structural platform for embedding SRHR protections into corporate strategy. Principle 26 of the NCCG requires boards to establish policies on ‘social ... working conditions, health ... responsibilities.’<sup>34</sup> The Code also encourages ‘appropriate balance ... including ... gender’ in board composition.<sup>35</sup> When boards implement these principles, they can proactively avert violations of SRHR by, for instance, endorsing anti-harassment policies, facilitating health and safety evaluations for pregnant employees, funding lactation facilities, or integrating SRHR metrics into environmental, social, governance (ESG) reporting.

Consequently, governance and labour law converge: labour law delineates the protections required, while corporate governance determines the practical implementation of those protections. Governance strategies can address the enforcement deficit resulting from inadequate statutory enforcement. A board’s risk register may classify ‘sexual harassment risk’ as a significant risk, so necessitating regular audits, training, and grievance procedures internal governance mechanisms that enhance external labour law enforcement. This intersection is especially powerful because SRHR issues are not merely legal or compliance issues but governance risks: they affect worker retention, company reputation, regulatory risk, and social licence. Empirical research in Nigeria shows that board gender diversity is positively associated with sustainability reporting.<sup>36</sup> A socially conscious board is more likely to prioritise SRHR as part of its social governance agenda. This convergence is particularly significant since SRHR issues transcend conventional legal or compliance matters, representing governance risks that impact employee retention, corporate reputation, regulatory exposure, and social licence. Empirical research in Nigeria indicates a positive correlation between board gender diversity and sustainability reporting. A socially aware board is more inclined to promote SRHR within its social governance framework.

To successfully safeguard sexual and reproductive health and rights, labour legislation change must be accompanied by corporate governance reform. Labour law confers rights; governance guarantees that these rights are upheld, documented, and integrated within the organisational framework. In the absence of board commitment, statutory SRHR provisions may remain speculative, inadequately examined, or ignored.

## **6. International Obligations for Labour Law & Corporate Governance on SRHR**

The ILO’s Maternity Protection Convention, 2000 (No. 183) requires States to ensure that employed women receive paid maternity leave, medical care, protection from health risks, employment protection, and non-discrimination.<sup>37</sup> States must implement these standards through legislation, collective agreements or other effective means.<sup>38</sup> The Convention also calls on employers (or social insurance) to provide cash benefits during maternity leave, and to refrain from dismissing a woman because of pregnancy or maternity.<sup>39</sup> These provisions reflect international consensus that maternity protection is not only a social policy measure but a fundamental labour right, directly tied to gender equality in employment.<sup>40</sup> ILO Convention No. 190 (2019) recognises the right of everyone ‘to a world of work free from violence and harassment,’ including

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<sup>31</sup> FG ratifies ILO Convention No. 190 on Violence and Harassment in the Workplace, Federal Ministry of Labour & Employment (28 September 2022) <https://www.labour.gov.ng/2022/09/28/fg-ratifies-ilo-convention-no-190-on-violence-and-harassment-in-the-workplace/>. Accessed 20 November 2025

<sup>32</sup> ILO, Convention No. 190 concerning the elimination of violence and harassment in the world of work (2019) art 10, art 11 [https://www.ilo.org/dyn/normlex/en/f?p=12100:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:3999810](https://www.ilo.org/dyn/normlex/en/f?p=12100:12100:0::NO:12100:P12100_INSTRUMENT_ID:3999810). Accessed 20 November 2025

<sup>33</sup> Collins Olayinka, ‘Nigeria ratifies ILO Convention on violence, harassment in workplace’ *The Guardian* (Nigeria) (4 October 2022) <https://guardian.ng/appointments/nigeria-ratifies-ilo-convention-on-violence-harassment-in-workplace/>. Accessed 20 November 2025

<sup>34</sup> Financial Reporting Council of Nigeria, Nigerian Code of Corporate Governance 2018 (FRCN) Principle 26 <https://assets.kpmg.com/content/dam/kpmg/ng/pdf/advisory/The-Nigerian-Code-of-Corporate-Governance-2018.pdf> Accessed 20 November 2025

<sup>35</sup> Nigerian Code of Corporate Governance 2018, Principle 2, as explained in Bisi Adeyemi, ‘The Nigerian Code of Corporate Governance, 2018: Principle 2 – Board Structure and Diversity’ *BusinessDay* (column) <https://businessday.ng/opinion/article/nigerian-code-of-corporate-governance-2018/>. Accessed 20 November 2025

<sup>36</sup> Ajepe Ayobami Oluwatoyin and Samuel Eniola Agbi, ‘Board Characteristics and Sustainability Reporting of Listed Non-Financial Firms in Nigeria’ (2021) *Journal of Finance & Accounting* 182, 186, DOI: 10.11648/j.jfa.20210905.11 <https://doi.org/10.11648/j.jfa.20210905.11>.

<sup>37</sup> ILO, Maternity Protection Convention, 2000 (No 183) (ILO) art 4 [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312326](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312326) accessed 21 November 2025.

<sup>38</sup> ILO, Maternity Protection Recommendation, 2000 (No 191) (ILO) [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312332](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312332) accessed 21 November 2025.

<sup>39</sup> ILO C 183 (n 1) art 8.

<sup>40</sup> ILO, Maternity Protection (Revised) Convention, 2000: Report of the Committee of Experts on the Application of Conventions and Recommendations, ILO (noting that maternity protection is a key component of gender equality in employment) [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---reconf/documents/meetingdocument/wcms\\_388232.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---reconf/documents/meetingdocument/wcms_388232.pdf) accessed 21 November 2025.

gender-based violence and sexual harassment.<sup>41</sup> It defines ‘violence and harassment’ broadly to include threats, verbal or physical abuse, and practices that cause physical, psychological, sexual or economic harm.<sup>42</sup> Under C190, States must adopt a ‘gender-responsive, integrated and inclusive approach’ to prevention, protection and enforcement, including establishing workplace policies, risk assessments, training, and safe and effective reporting and remedy mechanisms.<sup>43</sup> The Convention mandates that employers assess psychosocial risks (including harassment), implement preventive measures, and promote a culture of respect and dignity at work.<sup>44</sup> By ratifying these ILO conventions, States commit to enacting and enforcing laws and workplace standards consistent with SRHR. Compliance is monitored by ILO supervisory bodies, which examine national reports, provide technical assistance, and issue observations and recommendations. For working-class women, these obligations imply that national labour law must be aligned with ILO standards (e.g., adequate leave, safe work, anti-harassment), and companies must internalise these standards into their employment practices, not just rely on minimal statutory compliance.

Article 11 of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) requires States Parties to eliminate discrimination in employment, including equal rights for ‘employment opportunities, free choice of profession and employment, just and favourable conditions of work, social security, and protection of health and safety in working conditions, including the safeguarding of the function of reproduction.’<sup>45</sup> Article 12 requires States to ensure access to health services, including family planning, and to eliminate discrimination in health care.<sup>46</sup> The Convention obligates States to take ‘all appropriate measures’ to eliminate discrimination by ‘any person, organization or enterprise,’ which includes corporate actors.<sup>47</sup> The CEDAW Committee’s General Recommendation No. 19 treats gender-based violence (including sexual harassment) as discrimination under the Convention, thereby demanding that States provide effective protection and remedies.<sup>48</sup> Under article 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), States must ensure ‘fair wages’ and ‘safe and healthy working conditions.’<sup>49</sup> Since working conditions can directly affect reproductive health (e.g., exposure to hazardous substances, stress, harassment), this creates a clear duty to respect SRHR in the workplace. Article 10 recognises the ‘protection and assistance’ of the family, including ‘special protection for mothers’ and ‘paid leave or leave with adequate social security benefits.’<sup>50</sup> These obligations require States to regulate not only labour standards but also to monitor and enforce decent working conditions that safeguard reproductive health.

The United Nations Guiding Principles on Business and Human Rights (UNGPs) set out a global standard: States have the duty to protect human rights (Pillar 1), businesses have the responsibility to respect human rights (Pillar 2), and victims must have access to remedy (Pillar 3).<sup>51</sup> Under Pillar 2, companies must perform human rights due diligence to identify, prevent, mitigate and account for how they address adverse human rights impacts linked to their operations, including SRHR risks (such as harassment or discrimination).<sup>52</sup> This requires that businesses integrate SRHR considerations into their risk management, governance mechanisms (e.g., board oversight), internal policies (e.g., anti-harassment, maternity), and grievance procedures.

The Organisation for Economic Co-operation and Development (OECD) Guidelines (2011) complement the UNGPs. They require enterprises to ‘within the framework of internationally recognised human rights ... respect human rights, avoid infringing on the human rights of others and address adverse human rights impacts with which they are involved.’<sup>53</sup> Enterprises should have a public policy commitment to respect human rights, carry out human rights due diligence proportionate to their size and sector, and provide remediation through legitimate processes if they cause or contribute to

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<sup>41</sup> ILO, Violence and Harassment Convention, 2019 (No 190) (ILO) art 4 <https://www.ilo.org/resource/ilc/108/violence-and-harassment-convention-2019-no-190> accessed 21 November 2025.

<sup>42</sup> ILO C 190 (n 5) art 1; see also ILO, Guide on Convention No. 190 and Recommendation No. 206 (ILO) (definitions and obligations) [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---normes/documents/publication/wcms\\_738114.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_738114.pdf) accessed 21 November 2025.

<sup>43</sup> ILO C 190 (n 5) art 6–10.

<sup>44</sup> ILO C 190 (n 5) art 7 (prevention) and art 8 (reporting & remedy).

<sup>45</sup> Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted 18 December 1979, UNGA Res 34/180, entered into force 3 September 1981, art 11 <https://www.un.org/womenwatch/daw/cedaw/cedaw.htm> accessed 21 November 2025.

<sup>46</sup> CEDAW (n 9) art 12.

<sup>47</sup> CEDAW (n 9) art 2(e)–(f).

<sup>48</sup> Committee on the Elimination of Discrimination against Women, General Recommendation No. 19 on Violence Against Women (11th Session, 1992) UN Doc A/47/38 (1992) para 7 (interpreting gender-based violence, including harassment, as discrimination).

<sup>49</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted 16 December 1966, entered into force 3 January 1976, art 7 <https://legal.un.org/avl/ha/icescr/icescr.html> accessed 21 November 2025.

<sup>50</sup> ICESCR (n 13) art 10(2).

<sup>51</sup> United Nations, Guiding Principles on Business and Human Rights (UN Human Rights Council, 2011) (the ‘UNGPs’), Principle 1 (State duty), Principle 2 (Corporate responsibility to respect), Principle 31 (Access to remedy) [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf) (accessed 21 November 2025).

<sup>52</sup> UNGPs (n 15) Principles 13–17 (due diligence).

<sup>53</sup> OECD, OECD Guidelines for Multinational Enterprises (2011) Section IV (‘Human Rights’) <https://mneguidelines.oecd.org/guidelines/> (accessed 21 November 2025).

adverse impacts.<sup>54</sup> In the realm of SRHR, these rules necessitate that companies actively protect reproductive rights, including the prevention of sexual harassment, the provision of maternity protections, and the incorporation of reproductive health into workplace policy. The integration of ILO labour conventions (rigid standards), human rights treaties (state obligations), and business and human rights frameworks (governance responsibilities) establishes a strong normative structure for sexual and reproductive health and rights in the workplace.

Labour law responsibilities from the ILO and ICESCR necessitate that states enact protective legislation; human rights treaties such as CEDAW require non-discrimination and health safeguards; governance frameworks like the UNGPs and OECD encourage enterprises to integrate sexual and reproductive health rights into their internal processes, risk assessments, and reporting mechanisms. For working-class women, this signifies that their entitlements to secure pregnancy, non-discrimination, protection from harassment, and reproductive health are not merely policy aspirations but are legally and normatively established: states are obligated to regulate, and firms are required to institutionalise these rights through governance.

## **7. Conclusion and Recommendations**

Safeguarding the sexual and reproductive rights of working-class women in Nigeria necessitates more than legislative remedies; it demands that corporate boards recognise sexual and reproductive health and rights as a fundamental governance obligation. Labour law establishes a fundamental baseline, while corporate governance implements legal obligations within organisations; in the absence of board supervision, internal policy adherence, and transparent reporting, statutory rights are susceptible to inadequate enforcement and corporate apathy. A comprehensive strategy involving labour legislation reform, corporate governance reform, and proactive stakeholder involvement will yield enhanced sexual and reproductive health and rights outcomes, workplace equity, and societal advantages. To create durable SRHR protections, labour law reform and corporate governance action must be pursued in tandem. The following recommendations are proposed: The Labour Act should be amended to extend and improve maternity, parental leave, and to provide clearer anti-harassment obligations. Also, The Financial Reporting Council of Nigeria should update the NCCG to require SRHR indicators in board reporting and sustainability disclosures, SRHR policies like (maternity, breastfeeding, anti-harassment), should be adopted by the Boards to ensure accessible grievance mechanisms, and publish disaggregated SRHR data. Finally, SRHR governance should incentivise by regulators through disclosure and Recognition schemes

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<sup>54</sup> OECD Guidelines (n 17) para IV-1 to IV-4.