

AN APPRAISAL OF THE SPECIALISED STATUS OF THE NATIONAL INDUSTRIAL COURT OF NIGERIA*

Abstract

The National Industrial Court of Nigeria (NICN) occupies a unique position in the country's judicial structure, with a special jurisdiction over labour and employment-related disputes. This paper critically appraises the NICN's special status, examining its constitutional evolution, exclusive jurisdiction, and judicial pronouncements. The 1999 Constitution (as amended) and the National Industrial Court Act 2006 have solidified its standing as a superior court of record, distinct from other high courts. The paper posits that the special status of the National Industrial Court has positioned the court to deliver justice with speed and fairness devoid of unnecessary technicalities. The paper adopted the doctrinal research methodology and utilized both the primary and secondary sources of data including statutes, journal, textbook and subsidiary legislations. The paper recommends that the National Industrial Court being a specialized court, its decisions on appeal should be heard and determined by a special panel of the court of appeal with expertise on labour law and industrial relations.

Keywords: National Industrial Court, Jurisdiction, Appellate Remedy, Powers

1. Introduction

The National Industrial Court of Nigeria (NICN) occupies a pivotal role in the country's judicial framework, particularly in the adjudication of labour and employment disputes. The court was established to provide specialized and expedited resolution of industrial matters, and it has evolved through various legislative and constitutional amendments to become a superior court of record. Its exclusive jurisdiction over labour-related cases has positioned it as a crucial institution in the administration of labour and industrial justice in Nigeria. The special status of the NICN was further solidified by the Third Alteration to the 1999 Constitution of the Federal republic of Nigeria, which granted it exclusive jurisdiction over labour, employment, trade union matters, and industrial relations. This constitutional amendment resolved earlier jurisdictional conflicts with the Federal and State High Courts, thereby reinforcing the NICN's authority. This paper critically appraises the NICN's special status, analyzing its jurisdiction, constitutional backing, and all the special provisions which makes it unique in its role of achieving a fast and efficient justice delivery devoid of undue technicalities.

2. Establishment of National Industrial Court

The Trade Disputes Decree No. 7 of 1976 which later became the Trade Disputes Act¹, established the National Industrial Court. Section 20 of the said Act provided that there shall be a National Industrial Court for Nigeria (in this part of this Act referred to as 'the Court') which shall have such jurisdiction and powers as are conferred on it by this or any other Act with respect to the settlement of trade disputes, the interpretation of collective agreements and matters connected therewith. The NIC being the first specialized court in Nigeria was established to provide an avenue or forum for a smooth and flexible industrial dispute resolution regime which objectives could not be met by the regular courts². The 1979 Constitution failed to include the Court among the superior courts and also did not define its powers and jurisdiction. Thus, this anomaly of undefined status, powers and jurisdiction of National Industrial Court was cured by the promulgation of the Trade Disputes (Amendment) Decree of 1992 which conferred on the court the status of a superior court of record with the exclusive jurisdiction to entertain industrial disputes. This position remained until the return to democratic rule in 1999, when the constitutionality of the Decree became an issue.³ To solve the inadequacies that existed in the Trade Disputes Act and fill the gaps which had previously hindered the smooth working of the National Industrial Court and impeded its attaining the primary objective of settlement of labour disputes, the National Industrial Court Act 2006 was enacted. One of the major effects of the National Industrial Court Act, 2006, was to take the Court out of the Trade Disputes Act and gave it a separate enabling law of its own.⁴ The Act Provides for the establishment of the National Industrial Court as a superior court of record⁵. The court shall be a superior court of record and except as may be otherwise provided in any enactment or law, have all the powers of a high Court.⁶

Section 7(1) of the National Industrial Court Act provides as follows;

The court shall have and exercise exclusive jurisdiction in civil causes and matters-

- (a) Relating to –
 - (i) labour, including trade unions and industrial relations; and
 - (ii) environment and conditions of work, health, safety and welfare of labour, and matters incidental thereto; and
- (b) relating to the grant of any order to restrain any person or body from taking part in any strike, lock out or any industrial action, or any conduct in contemplation or in furtherance of a strike, lock- out or any industrial action;
- (c) relating to the determination of any question as to the interpretation of –
 - (i) any collective agreement,

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¹ CAP T8 Laws of the Federation of Nigeria, 2004

² C.Q Umeobika 'The Role of the National Industrial Court in Industrial Conflicts in Nigeria' *UNIZIK Law Journal* [2023] 19(3)174

³ Ibid

⁴ Etefia E. Ekanem and B.J Ekanem 'An Analysis of the jurisdiction of the National industrial Court of Nigeria as a Court of First and Last Resort in Civil Matters' *ISOR Journal of humanities and Social science* [2017] 22 (4) 61

⁵ Long title to the National Industrial Court Act, 2006

⁶ s 1(3) National Industrial Court Act, 2006

- (ii) any award made by an arbitral tribunal in respect of a labour dispute or an organisational dispute,
- (iii) the terms of settlement of any labour dispute, organisational dispute as may be recorded in any memorandum of settlement,
- (iv) any trade union constitution, and
- (v) any award or judgement of the court.

(2) The National Assembly may by any Act confer such additional Jurisdiction on the court in respect of such other causes or matters incidental, supplementary or related to those set out in subsection (1) of this section.

The National Industrial Court Act, 2006 tried to put to rest the raging controversies over the jurisdiction and status of the National Industrial Court. However, it also brought its share of the controversy. For instance, the Act was criticized for raising the status of the Court to that of a superior court of record and conferring on it exclusive jurisdiction on labour matters and trade disputes without a corresponding amendment to the Constitution of the Federal Republic of Nigeria⁷ In *National Union of Electricity Employees & Anor v. Bureau of Public Enterprise*⁸ The Supreme Court held: ‘The provision of section 272(1) of the Constitution is plain and the phrase ‘subject to the provision of this Constitution’ is used to the effect that the jurisdiction of the State High Court can only be restricted by the provisions of the 1999 Constitution and not by any Act of the National Assembly otherwise specifically conferring exclusive jurisdiction on a court or whatever to override the jurisdiction of the State High Court. It means therefore that by Decree No. 47 of 1992 arrogating to the National Industrial Court a superior court of record does not by that token make the National Industrial Court a superior court of record without due regard to the amendment of the provision of section 6(3) and of the 1999 Constitution which has listed the only superior courts of record recognized and known to the 1999 Constitution and the list does not include the National Industrial Court. Until the Constitution is amended it remains a subordinate court to the High Court. The implication of conferring exclusive jurisdiction in trade disputes on the National Industrial Court is to exclude the wide powers of the State High Court thus causing the conflict between Decree No. 47 and section 272 of the 1999 Constitution and any inconsistency with section 272 of the 1999 Constitution in that regard is void to the extent of the inconsistency. The Constitution of the Federal Republic of Nigeria (Third Alteration) Act,⁹ which came into force in March, 2011 amended the 1999 Constitution of the Federal Republic of Nigeria to include National Industrial Court in the relevant sections of the Constitution. The National Industrial Court is now formalized in the Constitution as the changes brought by the alteration have a great role to play in re-shaping and developing the labour sector in Nigeria.¹⁰ In general, sections 6, 84 (4), 240, 243, 287 (3), 289, 292, 294 (4), 316, 318, the Third Schedule, the Seventh Schedule to the Constitution have all been altered to include the new National Industrial Court of Nigeria.¹¹

In *Coca Cola Nig Ltd v Akinsanya*,¹² the Supreme Court on the status of the national industrial court held:

The National Industrial Court as a superior court of record is the creation of section 6 of the Constitution. Being a superior court of record which shall have all the powers of a High Court by virtue of section 254D (1) in the exercise of its jurisdiction and saddled with the exercise of jurisdiction as a court of first instance, the amended Constitution in section 240 made the National Industrial Court one of the superior courts over which the Court of Appeal has appellate jurisdiction.

3. Special Powers of the National Industrial Court of Nigeria

The National Industrial Court is empowered to have regard and consider international best practices in labour or industrial relations.¹³ Section 7(6) of the National Industrial Court Act¹⁴ provides: ‘The Court shall in exercising its jurisdiction or any of the powers conferred upon it by this Act or any other enactment or law, have due regard to good or international best practice in labour or industrial relations and what amounts to good or international best practice in labour or industrial relations shall be a question of fact’. Thus, the court is empowered to look into unfair labour practice, and consider or ‘have due regard’ to international best practices in labour in the exercise of its jurisdiction. This is a question of fact that requires proof. The question is the extent to which these provisions could expand the jurisdiction of the court beyond clear provisions of domestic legislations. The current practice is for the court to place reliance on the combined effect of the provisions, especially section 254C (1) (f) of the Constitution to interpret and vary; sometimes, expand the scope of local provisions to align with international best practices.¹⁵ In *Owulade v Nigeria Agip Oil Co Ltd*¹⁶ held that:

the spirit and letter of section 254C (1) of the 1999 Constitution as amended, and section 7(6) of the NIC Act 2006, as well as the intendment of same, is that they operate to create and set standard as a benchmark against which labour and industrial relations in Nigeria are to be measured. Even when section 7(6) of the NIC act 2006 declares that what amounts to good or international best practice in labour or industrial relations is a

⁷ Gbenga Ojo, ‘Legal Anatomy of the National Industrial Court Act 2006: The Need for Legislative Re-Thinking’ *Labour Law Review* [2008] 2(2) 1 –24

⁸ [2010] 7 NWLR (pt 1194) 538 at 571-572

⁹ The Constitution of the Federal Republic of Nigeria (Third Alteration) Act 2010

¹⁰ C.Q Umeobika (n 2)175

¹¹ B B Kanyip, *National Industrial Court Jurisdiction: ‘How Narrow is Narrow’* (Lagos; Hybrid Consult, 2021) 68

¹² [2013] 18 NWLR (Pt. 1386) 255 at 364

¹³ S 7(6) National Industrial Court Act 2006; s 254C (1) (f) CFRN 1999 (as amended).

¹⁴ National Industrial Court Act, 2006.

¹⁵ Sam Enugo ‘Introduction to Nigerian Labour Law: Contract of Employment and Labour Practice’ (Lagos, Princeton Associates Publishing Co. Ltd 2019) 389

¹⁶ Unreported Suit No. NICN/LA/41/2012 Judgment delivered on 12th July 2016 by Hon. Justice BB Kanyip

question of fact, it means that such a practice is not already codified in the conditions of service and would thus require to be pleaded and proved by the party alleging their existence.

The implication of the above position is that the National Industrial Court can apply the position of a treaty on labour or industrial relations once the treaty has been domesticated as required by section 12(1) of the Constitution¹⁷ once the court finds as a fact that its provisions amount to international best practice in labour or industrial provision.

4. Exclusive Original Jurisdiction of the National Industrial Court

The Constitution of the Federal Republic of Nigeria (Third Alteration) Act 2010 vested the National Industrial Court of Nigeria with original jurisdiction over civil and criminal matters as provided in section 254C (1-6) and appellate jurisdiction.¹⁸ Section 254C (1) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) provides as follows:

(1) Notwithstanding the provisions of sections 251, 257, 272 and anything contained in this Constitution and in addition to such other jurisdiction as may be conferred on it by an Act of the National Assembly, the National Industrial Court shall have and exercise jurisdiction to the exclusion of any other court in civil causes and matters –

(a) relating to or connected with any labour, employment, trade unions, industrial relations and matters arising from workplace, the conditions of service, including health, safety, welfare of labour, employee, worker and matters incidental thereto or connected therewith;

(b) relating to, connected with or arising from factories Act, Trade Disputes Act, Trade Unions Act, Labour Act, Employees' Compensation Act or any other Act or Law relating to Labour, employment, industrial relations, workplace or any other enactment replacing the Acts or Laws;

(c) relating to or connected with the grant of any order restraining any person or body from taking part in any strike, lock-out or any industrial action, or any conduct in contemplation or in furtherance of a strike, lock-out or any industrial action and matters connected therewith or related thereto;

(d) relating to or connected with any dispute over the interpretation and application of the provisions of Chapter IV of this Constitution as it relates to any employment, labour, industrial relations, trade unionism, employers' association or any other matter which the court has jurisdiction to hear and determine;

(e) relating to or connected with any dispute arising from national minimum wage for the Federation or any part thereof and matters connected therewith or arising therefrom;

(f) relating to or connected with unfair labour practice or international best practices in labour, employment and industrial relation matters;

(g) relating to or connected with any dispute arising from discrimination or sexual harassment at the workplace;

(h) relating to, connected with or pertaining to the application or interpretation of international labour standards;

(i) connected with or related to child labour, child abuse, human trafficking or any matter connected therewith or related thereto;

(j) related to the determination of any question as to the interpretation and application of any –

(i) collective agreement;

(ii) award or order made by an arbitral tribunal in respect of a trade dispute or a trade union dispute;

(iii) award or judgment of the Court;

(iv) terms of settlement of any trade dispute;

(v) trade union dispute or employment dispute as may be recorded in a memorandum of settlement;

(vi) trade union constitution, the constitution of an association of employers or any association relating to employment, labour, industrial relations or workplace;

(vii) disputes relating to or connected with any personnel matter arising from any free trade zone in the Federation or any part thereof;

(k) relating to or connected with disputes arising from payment or non-payment of salaries, wages, pensions, gratuities, allowances, benefits and any other entitlement of any employee, worker, political or public office holder, judicial officer or any civil or public servant in any part of the Federation and matters incidental thereto;

(l) relating to –

(i) appeals from the decisions of the Registrar of Trade Unions, or matters relating thereto or connected therewith;

(ii) appeals from the decisions or recommendations of any administrative body or commission of enquiry, arising from or connected with employment, labour, trade unions or industrial relations; and

(iii) such other jurisdiction, civil or criminal and whether to the exclusion of any other court or not, as may be conferred upon it by an Act of the National Assembly;

(m) relating to or connected with the registration of collective agreements.

(2) Notwithstanding anything to the contrary in this constitution, the National Industrial Court shall have the jurisdiction and power to deal with any matter connected with or pertaining to the application of any international convention, treaty or protocol of which Nigeria has ratified relating to labour, employment, workplace, industrial relations or matters connected therewith. ‘

The word ‘notwithstanding’ is used in sections 251(1) and 254C (1) of the 1999 Constitution (as amended) to show that the legislature intends that no other provision of the Constitution or any other statute shall be capable of undermining, impinging or

¹⁷ CFRN 1999 (as amended)

¹⁸ B.N Okpalaobi ‘A Review of the Controversies on the Appellate Jurisdiction of the National Industrial Court of Nigeria’ *Awka Capital Bar Journal* (2024) 3(2) 15

impeding the effect of the provisions in the sections.¹⁹ The above section of the Constitution²⁰ gave the National Industrial Court the exclusive jurisdiction over all causes and matters expressly stated in the section. In *CBN v Oodo*²¹ the Court of Appeal held that 'by the use of the word 'notwithstanding' in sections 251(1) and 254C of the 1999 Constitution (as amended), the jurisdictions of the Federal High Court and the National Industrial Court are mutually exclusive. They do not share any jurisdiction, the subject-matters being specifically circumscribed by the Constitution. The National Industrial Court is strictly for labour and employment related matters. It is a specialized court and it is not a court of general jurisdiction. The subject-matter is the most important factor in determining whether the National Industrial Court will have jurisdiction in a matter, regardless of the parties. The Federal High Court, on the other hand, also has subject-matter and party jurisdiction. Its jurisdiction is not just determined by only the party but also the subject-matter. The two must go together. In the instant case, the appellant's argument that the Federal High Court was the only court with jurisdiction because it is an agency of the Federal Government was flawed'

The Constitution of the Federal Republic of Nigeria (Third Alteration) Act, 2010 recognized the National Industrial Court as a specialized court. And section 254C of the Act provides for the exclusive jurisdiction of the court over all labour and employment issues.²² The jurisdiction of the National Industrial Court extends to all matters related to, incidental to or connected with any labour or employment dispute. In effect, its exclusive jurisdiction extends to matters having a nexus, inextricably linked or reasonably connected to subject matters over which jurisdiction is conferred in section 254C of the Constitution of the Federal Republic of Nigeria, 1999 (as amended). In other words, the jurisdiction of the National Industrial Court relates to the ramifications of labour and labour relations in its length and breadth and does not make any distinctions between employer-employee relations, employer-employee relations and employee- employee relations as far as it concerns labour.²³

5. National Industrial Court of Nigeria as an Appellate Court

The National Industrial Court of Nigeria exercises both original and appellate jurisdiction by virtue of section 254C of the Constitution of Federal Republic of Nigeria 1999 (as amended). Section 254C (1)(L)²⁴ provides as follows:

Notwithstanding the provisions of sections 251, 257, 272 and anything contained in this Constitution and in addition to such other jurisdiction as may be conferred on it by an Act of the National Assembly, the National Industrial Court shall have and exercise jurisdiction to the exclusion of any other court in civil causes and matters –

(l) relating to –

- (i) appeals from the decisions of the Registrar of Trade Unions, or matters relating thereto or connected therewith;
- (ii) appeals from the decisions or recommendations of any administrative body or commission of enquiry, arising from or connected with employment, labour, trade unions or industrial relations; and
- (iii) such other jurisdiction, civil or criminal and whether to the exclusion of any other court or not, as may be conferred upon it by an Act of the National Assembly.

The Jurisdiction includes: appeals from the decisions of the Registrar of Trade Unions, on matters relating thereto or connected therewith; appeals from the decisions or recommendations of any administrative body or commission of enquiry, arising from or connected with employment, labour, trade unions or industrial relations. The latter will appear to include appeals from any board of inquiry set up by the Minister, and the Industrial Arbitration Panel.²⁵ If notice of objection to the award of an arbitration tribunal appointed under section 9 is given to the Minister within the time and in the manner specified under section 13 (2) of the Act, the Minister shall forthwith refer the dispute to the National Industrial Court.²⁶ Similarly, the Minister may make direct reference of a dispute from the conciliator to the National Industrial Court in certain circumstances specified in section 17 of the Trade Disputes Act, without reference to the Industrial Arbitration Panel and by section 55(4) of the Employees' Compensation Act, an appeal shall lie from any decision of the Nigeria Social Insurance Trust Fund Management Board as relates to management of employees' compensation to the National Industrial Court.²⁷

6. The Special Provisions of National Industrial Court Rules 2017

The national Industrial Court (Civil Procedure) Rules 2017 was made pursuant to Sections 254(F)(1), of the Constitution of the Federal Republic of Nigeria, 1999 (as amended by the Third Alteration Act, 2010) and Section 36 of the National Industrial Court Act, 2006. The Rules applies to all civil matters in respect of which jurisdiction has been conferred on the Court by Section 254C of the Constitution of the Federal Republic of Nigeria 1999 or any other enactment in force in Nigeria.²⁸ In any civil proceedings before the Court, it shall be the primary duty of the Court after the parties have joined issues, to promote reconciliation, encourage as well as facilitate amicable settlement of the dispute amongst the parties. Any of the parties before the Court, may apply to the Court for time within which to reach an amicable settlement of the dispute.²⁹ The Court may direct a departure from these Rules where the interest of justice so requires.³⁰ At any time before or during the hearing of a matter the Court may direct, authorize or condone a departure from the Rules, where the Court is satisfied that the departure is required in the overall interest of justice,

¹⁹ *Coca Cola Nig Ltd v Akinsanya* [2017] 17 NWLR (pt 1593) 74 at 131

²⁰ s 254 C (1) CFRN 1999 (as amended)

²¹ [2021] 18 NWLR (Pt. 1809) 461 at 512-513

²² *Skye Bank v Iwu* [2017] 16 NWLR (pt 1590) 24

²³ *Omang v Nsa* [2021] 10 NWLR (Pt. 1783) 55 at 85-86

²⁴ CFRN 1999 (as amended)

²⁵ Sam Enugo 'Introduction to Nigerian Labour Law: Contract of employment and labour practice' (Lagos, Princeton Associates Publishing Co. Ltd 2019) 389

²⁶ S 14(1) Trade Dispute Act

²⁷ Sam Erugo (n25)

²⁸ Order 1 (3) National Industrial Court of Nigeria (Civil Procedure) Rules, 2016

²⁹ Order 6 Ibid

³⁰ Order 5(3) Ibid

fairness and equity.³¹ Where any of the parties apply to the Court for a departure from the Rules, such application shall be made by motion on notice accompanied by an affidavit and a Written Address stating grounds for seeking a departure from the Rules while exhibiting due diligence in prosecuting the matter before the Court. The application shall be filed at least seven (7) days before the next date of hearing or as the Court may in the interest of justice direct.³² In *Tanko v Modi*³³ the Court of Appeal on Power of National Industrial Court to direct departure from its rules held ‘

By virtue of Order 5 rules 3, 4 and 5 of the National Industrial Court Rules, 2007, the court may direct a departure from the Rules where the interest of justice so requires. At any time before or during the hearing of a matter, the court may - direct, authorize or condone a departure from the Rules, where the court is satisfied that the departure is required in the overall interest of justice, fairness and equity; give such directions as to procedure in respect of any matter not expressly provided for in the Rule as may appear to the court to be just, expedient and equitable. The court may, on good cause shown, condone non-compliance with any period prescribed by the Rules. Where the court on good cause shown to it condones non compliance, the court may make an appropriate order by which the order shall be complied with. Where any of the parties apply to the court for a departure from the Rules, such application shall be made by motion on notice accompanied by an affidavit and a written address stating grounds for seeking a departure from the Rules while exhibiting due diligence in prosecuting the matter before the court. The application shall be filed at least seven days before the next date of hearing or as the court may in the interest of justice direct. Upon receipt of the motion on notice, the defendant or respondent shall file a counter-affidavit, if any, along with the defendant’s reply and written address within seven days of the date of such service on the defendant or respondent as the court may in the interest of justice direct. In the case of extreme urgency, the court may under special and exceptional circumstances allow any of the parties to make an oral application to depart from the Rules, specifying compelling and exceptional circumstances why the court should allow a departure from the Rules. In exercising any of its powers as may be conferred by the provisions of the Rules, the court may take into consideration the exigency of the matter and the interest of justice and equity’³⁴

The jurisdiction vested in the National Industrial Court shall, so far as practice and procedure are concerned, be exercised in the manner provided by this Act or any other enactment or by such rules and orders of court as may be made pursuant to the National Industrial Court Act or, in the absence of any such provisions, in substantial conformity with the practice and procedure of the court existing immediately before the commencement of the National Industrial Court Act.³⁵ Subject to the National Industrial Court Act and any rules made thereunder, the court may regulate its procedure and proceedings as it thinks fit; and shall be bound by the Evidence Act but may depart from it in the interest of justice.³⁶ Order 5 rule 6 of the National Industrial Court (Civil Procedure Rules) 2017 provides that in appropriate circumstances, depart from the Evidence Act as provided in section 12 (2) (b) of the National Industrial Court Act, 2006 in the interest of justice, fairness, equity and fair-play. In any proceeding before it, the Court shall apply fair and flexible procedure and shall not allow mere technicalities to becloud doing justice to the parties based on the law, equity and fairness while also considering the facts of any matter before it.³⁷ In *Tanko v Modi*³⁸ The Court of Appeal on the Power of the National Industrial Court of Nigeria to depart from the Evidence Act held: ‘In any proceeding pending before it, the court may as a specialized court regulate its procedure and proceedings as it thinks fit in the interest of justice and equity and fair play and, in appropriate circumstances, depart from the Evidence Act as provided in section 12(2)(b) of the National Industrial Court Act, 2006 in the interest of justice, fairness, equity and fair play. In any proceeding before it, the court shall apply fair and flexible procedure and shall not allow mere technicalities to becloud doing justice to the parties based on the law, equity and fairness while also considering the facts of any matter before it.’

7. Conclusion

The National Industrial Court of Nigeria (NICN) occupies a crucial role in the country judicial system, particularly in the adjudication of labour and employment disputes. The court was established to provide specialized and expedited resolution of industrial matters and it has evolved through various legislative and constitutional amendments to become a superior court of record. Its exclusive jurisdiction over labour-related cases has positioned it as a crucial institution in the administration of justice in Nigeria. The National Industrial Court has over the years shown its capacity to be fast and efficient in delivering its specialized mandate. The uniqueness of the national Industrial court can be seen from its specialized and exclusive jurisdiction, its power to consider or ‘have due regard’ to international best practices in labour in the exercise of its jurisdiction, its special appellate jurisdiction and its power to depart from the Evidence Act. The National Industrial Court being a specialized court, its decisions on appeal should be heard and determined by a special panel of the Court of Appeal with expertise on labour law and industrial relations. The National Industrial Court should constantly train and retrain its personnel to bring them at par with the constantly evolving international best practices on labour and industrial relations.

³¹ Order 5(4) Ibid

³² Order 5(5)(1) Ibid

³³ [2019] 8 NWLR (Pt. 1675) 387

³⁴ Ibid at 408-409, *paras. H-F*

³⁵ s 12(1) National Industrial Court Act 2006

³⁶ S 12(2) Ibid

³⁷ Order 5 (6) National Industrial Court of Nigeria (Civil Procedure) Rules, 2016

³⁸ *Supra* at 409 to 410