

## EMPLOYEE LAWS, EMPLOYEE RIGHTS, AND ENFORCEMENT OF LEGAL PROCESSES IN NIGERIA'S PRIVATE SECTOR

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### ABSTRACT

*Nigeria has one of the most efficient labour law frameworks in the sub-Saharan region, however, the application of this in the private sector has remained low. This paper discusses that the current gap between legal rights and what exists in the working environment is a structural feature of the political economy of the country, and not merely an implementation failure. Based on the institutional theory and regulatory capture literature, it discusses the ways in which inefficiently funded labour inspectorates, judicial purgatory in the National Industrial Court, political influence, and elite capture have made most protectionist measures, including minimum wage, safe working conditions, protection against arbitrary termination, and non-discrimination, a sham with regard to most workers in the private sector. By conducting a doctrinal analysis and synthesising the empirical literature published in journals indexed in the Scopus database, the paper demonstrates that such problems as casualisation, massive non-adherence to minimum wage legislation, and unsafe working conditions are not exceptions but, instead, rational implications of weak regulatory institutions, acting within the context of a high degree of informality and an ineffective state capacity. The article concludes that achieving any substantial protection over employee rights requires the creation of an autonomous National Labour Enforcement Agency with prosecutorial authority, the introduction of criminal liability in cases of systemic violations, the digital adoption of compliance systems, and the strengthening of collective bargaining. The lack of such drastic institutional changes means that the nature of the private sector in Nigeria will remain in perpetuating the precarious employment terms, eventually disrupting the sustainable economic development.*

**KEYWORDS:** *Labour Law Enforcement, Employee Rights, Private Sector, National Industrial Court, Casualling, Regulatory Capture, Nigeria.*

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