

Trade Disputes Act, CAP T8, Law of the Federation of Nigeria (LFN), 2002 hereby refer this matter to the National Industrial Court of Nigeria (NICN) for adjudication and to:

- A. Inquire into the legality or otherwise of the on-going prolonged strike by ASUU leadership and members which had continued even after apprehension by the Minister of Labour and Employment.
- B. Interpret in its entirety, the provisions of Section 18, LFN 2004 especially as it applies to **cessation of strike once a trade dispute is apprehended** by the Minister of Labour and Employment and **conciliation is on-going**.
- C. Interpret the provisions of Section 43 of the Trade Disputes Act, CAP T8, LFN 2004 titled "Special Provision with Respect to Payment of Wages During Strikes and Lock-Outs" specifically dealing with the rights of employers and employees/workers during the period of any strike or lock-out. Can ASUU or any union that embarked on strike be asking to be paid salaries even with the clear provision of the Law.
Determine whether ASUU members are entitled to emolument or "strike pay" during their period of current strike which commenced on February 14, 2022, more so in view of our national law as provided in Section 43 of the Trade Disputes Act and the International Labour Principles on the Rights to Strike as well as the Decisions of the ILO Committee on Freedom of Association on the subject.
- D. Determine Whether ASUU has the right to embark on strike over disputes as is the case in this instance by compelling the Federal Government to deploy University Transparency and Accountability Solution (UTAS) developed by ASUU in the payment of the wages of its members as against Integrated Payroll and Personnel Information System (IPPPIS) universally used by the Federal Government in the nation for payment of wages of all her Employees (Workers) in the Federal Government Public Service of which university workers including ASUU members are part of, even where the Government via NITDA subjected the ASUU and their counterpart SSANU/NASU UPPPS-University Payment Platform System software to integrity test (Vulnerability and Stress Test) and they failed same.
- E. Determine the extent of fulfilment of ASUU's demands by the Federal Government as follows since the 2020 Memorandum of Action with Federal Government :

SIN THE NATIONAL INDUSTRIAL COURT OF NIGERIA
HOLDEN AT ABUJA
VACATION COURT

Suit No: NICN/ABJ/270/2022

Between:
Federal Government & 1 Anr

.....
Vs

Academic Staff Union of Universities (ASUU)

.....
TAKE NOTICE that above mention case will now be listed **For Mention** before the National Industrial Court sitting at No.11, New-Bussa Close, Area 3, Garki, Abuja on **Monday 12th September, 2022** at 9.00am.

AND FURTHER TAKE NOTICE that this Notice shall be sufficiently served on you, if is left at your address for service or sent by registered post to the address in any case where the date of service by post is material section 25 of the interpretation Act, 1964 shall apply.

DATED at Abuja this 9th September, 2022.


Chief Registrar.

To:
The
President Academic Staff Union of Universities (ASUU)
C/O
ASUU Secretariat Phase II
Abuja.



2:04pm



OFFICE OF THE HONOURABLE MINISTER
FEDERAL MINISTRY OF LABOUR AND EMPLOYMENT
Federal Secretariat, Shehu Shagari Way, Abuja, Nigeria.

HMD/LAB/150/1

08 September, 2022

The Chief Registrar
National Industrial Court of Nigeria (NICN)
No. 11 New Bussa Close, Area 3, Garki, Abuja.

Dear Chief Registrar,

**FORWARDING OF A REFERRAL INSTRUMENT IN THE TRADE DISPUTE BETWEEN FEDERAL
GOVERNMENT/FEDERAL MINISTRY OF EDUCATION AND THE ACADEMIC STAFF UNION OF UNIVERSITIES
(ASUU)**

Please find attached three (3) original copies of a Referral Instrument regarding the trade dispute between the Federal Government of Nigeria /Federal Ministry of Education and The Academic Staff Union of Universities (ASUU) for adjudication by the National Industrial Court of Nigeria (NICN).

2. The Referral Instrument is raised in line with powers vested on the Honourable Minister of Labour and Employment by trade dispute resolution mechanisms and the provision of **Section 17 of the Trade Dispute Act, CAP. T8, Laws of the Federation of Nigeria (LFN), 2004**.

3. In view of the fact that ASUU members have been on strike since February 14, 2022, and have refused to call off the action despite apprehension of same it would be appreciated if this dispute is given an **accelerated hearing** in order to bring the dispute to an end.

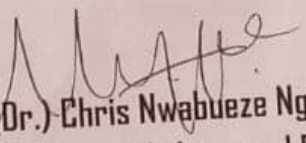
4. The addresses of the parties in dispute are as follows:

- i. President, Academic Staff Union of Universities (ASUU) c/o ASUU Secretariat University of Abuja.
- ii. Honourable Minister of Education, Federal Ministry of Education, Federal Secretariat Phase II, Shehu Shagari Way, Abuja
- iii. Honourable Minister of Justice and Attorney-General of the Federation, Shehu Shagari Way, Abuja.
- iv. The Honourable Minister, Federal Ministry of Labour and Employment, Shehu Shagari Way, Abuja.

5. Please be assured of my very warm regards.

Signature
Senator (Dr.) Chris Nwahueze Ngige, SON
Honourable Minister

- i. Funding for Revitalisation of Public Universities as per 2009 Agreement
 - ii. Earned Academic Allowances (EAA) payments
 - iii. State Universities Proliferation
 - iv. Constitution of Visitation Panels/Release of White Paper on report of Visitation Panels
 - v. Reconstitution of Government Renegotiation Team for the renegotiation of 2009 Agreement which was renegotiated 2013/2014 and due for re-negotiation by 2018/2019
 - vi. The migration of ASUU members from IPPIS to University Transparency and Accountability Solution (UTAS) developed by ASUU which is currently on test at Nig Tech. Dev. Agency (NITDA)
- F. Issue ORDER for ASUU members to resume work in their various Universities while the issues in dispute are being addressed by the NICN in consonance with the provisions of Section 18 (1) (b) of the Trade Disputes Act, CAP, T8, LFN 2004.


Senator (Dr.) Chris Nwabueze Ngige, *DDN*
Honourable Minister of Labour and Employment

Dated 07 Day of SEPTEMBER 2022