LEGALITY AND ILLEGALITY OF NO WORK NO PAY POLICY ON ACADEMIC STAFF UNION OF UNIVERSITIES (A CASE STUDY OF FEDERAL UNIVERSITY OF TECHNOLOGY, OWERRI 2019-2023)

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Abstract
This study examined the legality and implications of the "no work, no pay" policy on members of the Academic Staff Union of Universities (ASUU) at the Federal University of Technology, Owerri from 2019 to 2023. Three research questions and two hypotheses guided the study. The study's design adopted a descriptive survey design. The population consisted of 956 ASUU members, from which a sample of 282 respondents was selected using the Taro Yamane formula and simple random sampling technique. Data were collected through a validated questionnaire, with a reliability coefficient of 0.88 obtained through the use of Cronbach Alpha. Frequency tables and percentages were used to answer research questions, while chi-square statistics tested the hypotheses at a probability of 0.05. Findings revealed that the policy has legal implications for employment contracts, infringes on staff rights, disrupts academic activities, and negatively affects students' interests. It was also found to contradict provisions of the Nigerian Labour Act. The study recommends policy review and clearer implementation guidelines.
Keywords: *legality, illegality, no work, no pay, Academic staff union of universities*

Introduction

Tertiary education, also referred to as post-secondary or third-level education, represents the stage of learning undertaken after the completion of secondary education. According to the World Bank (2021), tertiary education encompasses universities, colleges, and vocational or trade institutions. In a broader sense, higher education includes universities, colleges of education, polytechnics, monotechnics, and specialized institutions such as nursing and medical schools. At this level, students are awarded academic or professional degrees, building on the knowledge and skills acquired during their secondary education.

Globally, tertiary education has gained increasing prominence as a key driver of economic growth and national development. In today's knowledge-based economy, countries are compelled to invest in higher education to develop skilled manpower, enhance research capacity, and promote innovation. Consequently, many developed nations allocate substantial portions of their national budgets to education. UNESCO recommends that between 15% and 26% of total national expenditure be devoted to the education sector. However, Nigeria's allocation has remained significantly below this benchmark, with figures between 2020 and 2024 standing at approximately 6.5%, 5.68%, 5.4%, 7.2%, and 7.85% respectively (Olukoya cited in Ibe, 2024).

One notable example of a tertiary institution in Nigeria is the Federal University of Technology, Owerri (FUTO), established in 1980 as part of the Federal Government's initiative to promote science and technology education. Located in Imo State, FUTO was created to produce highly skilled graduates in Science, Technology, Engineering, and Mathematics (STEM) fields, thereby contributing to Nigeria's technological advancement and economic development. Since its inception, the university has maintained a commitment to academic excellence, research, and national development.

Despite the recognized importance of tertiary education, Nigeria's university system has been plagued by persistent challenges, particularly inadequate funding and poor implementation of agreements between the Federal Government and the Academic Staff Union of Universities (ASUU). Over the years, ASUU has been engaged in recurrent disputes with the government, largely centered on issues

such as funding, staff welfare, and university autonomy. For instance, although the government agreed to release ₦1.3 trillion for the revitalization of public universities in six tranches beginning in 2013, only about ₦200 billion has been disbursed to date (Ekemezie, 2024).

Additional areas of contention include the non-payment of Earned Academic Allowances (EAA), delays in renegotiating the 2009 ASUU–Federal Government agreement, and disagreements over payroll systems such as the Integrated Payroll and Personnel Information System (IPPIS), which ASUU opposed in favor of its proposed University Transparency and Accountability Solution (UTAS) (Amoka, 2022). Furthermore, statutory requirements such as periodic visitation panels to universities have not been consistently fulfilled, contributing to governance challenges within the system.

These unresolved issues have led to repeated industrial actions by ASUU, resulting in prolonged disruptions to academic activities across Nigerian universities. In response, the Federal Government has occasionally invoked the "no work, no pay" policy, further intensifying tensions between both parties. This policy has had significant implications for academic staff welfare, contributing to low morale, financial hardship, and, in some cases, severe personal consequences within university communities.

Within this context, the Federal University of Technology, Owerri (FUTO), like other public universities in Nigeria, operates in a complex industrial relations environment. The university management must navigate the competing demands of staff unions and government policies while striving to maintain academic stability. The ongoing conflicts highlight the urgent need for sustainable solutions to improve funding, governance, and labour relations in Nigeria's tertiary education system

Research Questions

The following research questions were posed to guide the study:

1. What are the legal implications of the no work no pay policy on the employment contracts of ASUU members in the Federal University of Technology?
2. To what extent does the no work no pay policy infringe on the rights of ASUU members in the Federal University of Technology?
3. What is the extent to which the no work no pay policy impacts the academic activities and students' interests in the Federal University of Technology during ASUU strikes?

Hypotheses

Ho_1: The no work no pay policy does not infringe on the rights of ASUU members in Federal University of Technology, Owerri.

$H1_1$: The no work no pay policy infringes on the rights of ASUU members in Federal University of Technology, Owerri.

Ho_2: The no work no pay policy has no impact on academic activities and students' interest in Federal University of Technology, Owerri during ASUU strikes.

Hi_2: The no work no pay policy has impact on academic activities and students' interests in Federal University of Technology, Owerri during ASUU strikes.

Methodology

The descriptive survey research design was adopted in this study. In this research, data were collected and described in a systematic manner. It was analyzed and reported without manipulation or distortion of any of the variables. The population comprises all the 956 members of Association of Staff Union of Universities in Federal University of Technology, Owerri. A sample of 282 ASUU members of Federal University of Technology, Owerri was selected from the population through the Taro Yamane formula. The researchers employed both primary and secondary sources of data collection. Primary data were collected through the administration of questionnaire. The instrument was validated by five

specialists; two in the area of Human resource Management and three in the area of public administration. To determine the reliability of the instrument, it was a one-shot test using 30 ASUU members who were not among the sample size in order to remove bias. Data collected using the instrument during the trial test were analyzed using Cronbach alpha method to determine the internal consistency reliability coefficient of the questionnaire. A reliability coefficient of 0.88 was obtained which indicated that the instrument was highly reliable.

Results

Question 1: Do you think the "No Work No Pay" policy violates the principles of employment contracts as stipulated in the Nigerian Labour Act?

Table 1:

Perceptions of "No Work No Pay" Policy as a Violation of the Nigerian Labour Act

Option	No. of respondent	% of respondent
Yes	247	87.59%
No	25	8.87%
Undecided	10	3.55%
Total	**282**	**100%**

Source: Field survey (2026)

It was shown in Table 1, that out of the 282 respondents, 247 respondents who had the yes option represent 87.59%, 25 respondents who said no represent 8.87%, while 10 respondents with the maybe option had 3.55% respectively which indicated that the "No Work No Pay" policy violates the principles of employment contracts as stipulated in the Nigerian Labour Act.

Question 2: To what extent do you think the "No Work No Pay" policy infringes on your right to fair compensation as an ASUU member in FUTO?

Table 2:

Extent of Policy Infringement on ASUU Members' Right to Fair Compensation

Option	No. of respondent	% of respondent
High extent	256	90.78%
Low extent	20	7.09%
Undecided	6	2.13%
Total	**282**	**100%**

Source: Field survey (2026)

Analysis in Table 2 showed that 256 respondents who had a percentage score of 90.78% said high extent, those who said low extent are 20 respondents with a percentage score of 7.09%, while 6 respondents who recorded a percentage score of 2.13% were undecided. This result showed that there is a high extent to which No Work No Pay" policy infringes on the right to fair compensation of ASUU member in FUTO.

Question 3: To what extent do you believe the "No Work No Pay" policy impacts students' academic progress and performance during ASUU strikes in FUTO?

Table 3

Perceived Impact of the "No Work No Pay" Policy on Students' Academic Progress

Option	No. of respondent	% of respondent
High extent	244	86.53%
Low extent	24	8.51%
Undecided	14	4.96%
Total	**282**	**100%**

Source: Field survey (2026)

From Table 3, it was shown that 244 respondents who had a percentage score of 86.53% said yes, 24 respondents who said low extent had a percentage score of 8.51%, while 14 respondents who had the undecided option was represented by 4.96% respectively which indicated that there is a high extent to

which the "No Work No Pay" policy impacts on students' academic progress and performance during ASUU strikes in FUTO.

Hypothesis One

Ho_1: The no work no pay policy does not infringe on the rights of ASUU members in Federal University of Technology, Owerri.

$H1_1$: The no work no pay policy infringes on the rights of ASUU members in Federal University of Technology, Owerri.

Table 4

Chi-square Analysis for Hypothesis One

Table	Yes	No	Undecided	Total
2	256	20	6	282
Total	256	20	6	282

Source: Field survey (2026)

Hypothesis Two

Ho_2: The no work no pay policy has no impact on academic activities and students' interest in Federal University of Technology, Owerri during ASUU strikes.

Hi_2: The no work no pay policy has impact on academic activities and students' interests in Federal University of Technology, Owerri during ASUU strikes.

Table 5

Chi-square Analysis for Hypothesis Two

In order to test the above hypothesis, table 3 will be used for the analysis.

Table	Yes	No	Undecided	Total
3	244	24	14	282
Total	244	24	14	282

Source: Field survey (2026)

Discussion

The findings revealed that the "no work, no pay" policy has significant legal implications for the employment contracts of ASUU members at the Federal University of Technology, Owerri (FUTO) between 2019 and 2023. The policy was found to contravene the terms and conditions of employment and weaken academic staff's willingness to fulfill contractual obligations. Supporting this, Ezeani and Uwakwe (2023) noted that judicial interpretations of the policy have far-reaching implications for workers' rights and industrial relations, while Afolabi and Ogunleye (2022) emphasized its negative effects on job security and livelihoods. The policy may therefore lead to disputes, litigation, and strained industrial relations.

The study further showed that the policy infringes on the rights of ASUU members, particularly in relation to fair compensation, job security, and tenure. Ihejirika and Okoroafor (2022) affirmed that such policies undermine workers' dignity and contribute to industrial conflict. This situation may result in feelings of marginalization, reduced job satisfaction, and declining staff morale.

In addition, the findings revealed that the policy significantly disrupts academic activities and students' interests during ASUU strikes. It contributes to prolonged strikes, delays in the academic calendar, and poor student performance. Adeyemi and Ogunleye (2022) also found that the policy leads to delayed graduation and loss of academic time, especially during the COVID-19 period.

Finally, the study found that the policy may contravene provisions of the Nigerian Labour Act, particularly those relating to fair labour practices and employment rights. Overall, the policy remains

a contentious issue requiring careful review to ensure fairness, protect workers' rights, and maintain stability in the university system.

Recommendations

Based on the results of this study, the following recommendations were made:

1. The Federal Government of Nigeria and university administrators should review and revise the "No Work No Pay" policy to ensure it aligns with the terms and conditions of employment contracts of ASUU members, and establish clear guidelines for its implementation to prevent arbitrary interpretation and potential breaches of contract.
2. The Federal Government of Nigeria and university authorities should engage in negotiations with ASUU to review and amend the "No Work No Pay" policy, ensuring that it respects and protects the rights of academic staff, and establishes mechanisms for fair treatment and compensation during industrial disputes.
3. The university administration and ASUU should collaborate to develop contingency plans and alternative academic calendars to minimize the impact of industrial actions on students' academic progress and interests, ensuring that academic activities continue uninterrupted or with minimal disruption during future strikes.

Conclusion

In conclusion, this study has examined the legality and illegality of the "No Work No Pay" policy on Academic Staff Union of Universities (ASUU) in Federal University of Technology, Owerri, with a focus on the 2019-2023. The recent ASUU strike during the COVID-19 era highlighted the complexities of implementing the policy during a global pandemic. The study found that the "No Work No Pay" policy has significant implications on the employment contracts of ASUU members, potentially breaching contractual terms and undermining workers' rights. Moreover, the policy infringes on the rights of ASUU members, affecting their job satisfaction and overall well-being. The policy also had a substantial impact on academic activities and students' interests, disrupting the academic calendar and affecting learning outcomes. To mitigate the effects of future industrial actions, stakeholders should develop strategies that prioritize dialogue, fairness, and academic continuity in Federal University of Technology, Owerri

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