

# A Distinctive Perceptions of the Disputants in the Negotiation of Labor Dispute Resolution

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**Abstract:** *Negotiation is a method by which disputing parties settle their differences. It is a process by which compromise or agreement is reached while avoiding argument or dispute. However, the success of every negotiation depends largely on the disputant's perceptions of each other on the negotiation table. This study investigated the influence of the perceptions of the representatives of the Academic Staff Union of Universities (ASUU) and the representatives of the Federal Government of Nigeria (FGN) in the negotiation process. In order to achieve the objectives of this study, a qualitative approach was adopted. A total number of 42 participants were interviewed through an in-depth face to face interview, 23 representatives from the side of the FGN and 19 representatives from ASUU. Findings from this study revealed that ASUU and the Nigeria government have not been able to resolve their labor dispute because of the government insincere and dishonest behavior in-terms of the implementation of her agreement reached with ASUU at the negotiation table. This study also found lack of explanation and apology from the side of the Nigeria government to ASUU especially when the government fail to implement the agreement reached by both parties. In contrast, the result of this study indicates that greed and selfishness, lack of compromise as their common perceptions of the representatives of the government about ASUU which often influence the successful outcome of the negotiation for some decades. This study concluded that, disputants cannot achieve a fruitful resolution outcome without a sincere and honest communication between the two parties at the negotiation table. In addition, negotiators cannot also reach a satisfactory win-win settlement point without cooperation and compromise between the two parties.*

**Keywords:** *Disputants' Perceptions, Negotiation, Negotiation Behavior*

## I. INTRODUCTION

Dispute is a friction which is inevitable in every human organization between the management and employees (Ohbuchi & Fukushima, 1997). It usually occurs over conditions of employment such as leave entitlement; salary

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increment and promotion, dispute also manifest in the organizational settings due to poor working condition, working hours, legal rights and responsibilities. However, empirical evidence shows that when disagreement transpire in the organizational sphere between employees and employers, it often results to industrial actions such as lock-out, absenteeism and strikes which undermines and weaken the organizational vision and mission (Ogwuana, 2016; Olaniyi & Aina, 2014; Okuwa & Campbell, 2011; Ojielo, 2001). For these reasons, dispute need an urgent resolution at its infancy stage before it grows out of hand causing more serious damage to the organizational productivity (Odoziobodo, 2015). Disputant's perceptions play a substantial role in determine the successful outcome of every dispute resolution. Evidence shows that when disputants have a positive perception about each other in the resolution process, their chances of achieving a fruitful resolution outcome become high, this is because both parties would cooperate and find a logical solution to their misunderstanding (Antonioli, Mazzanti & Pini, 2011; Aquino et al, 2009; Aquino & Becker, 2005; Rousseau & Tijorilawa, 1999). On the contrary, when disputants have distinctive negative perceptions about each other in the resolution of dispute, both parties may not be able to resolve their differences due to lack of cooperation between the two parties (Ready & Tessema, 2011; Anyim & Ogunyomi, 2012; Anekwe, 2010; Anderson & Thompson, 2004).

Empirical evidence from the existing literature shows that there are various fair and effective methods of eliminating labor dispute between employers and their employees without seeking for legal proceeding such as litigation which is lengthy and expensive (Olekals, Horan & Smith, 2014; Philip & Adeshola, 2013; Hale et al., 2012; Okharedia, 2011; Okene, 2010; Dawe & Neathey, 2008; Hiltrop, 1985) these methods of resolving dispute include conciliation, negotiation and mediation. Several studies (see, Reif, 1990; Bingham, 2004; Gibbons, 2007; Goltsman et al., 2009; Quoc Bao Vo & Radulescu, 2012; Shinde, 2012) shows that mediation and conciliation have been an effective methods of resolving disputes between employers and their employees, compare to the negotiation process which proved to be unsuccessful and inconclusive. According to studies (e.g, Chand, 2015; Booth et al., 2016), the reason why conciliation and mediation are more effective in the resolution of dispute than negotiation is because of the support from the neutral and impartial third party known as the conciliator and mediator.