

# A BILL

## FOR

AN ACT TO PROTECT CASUAL WORKERS FROM EXPLOITATION BY EMPLOYERS OF LABOUR AND FOR RELATED MATTERS

*Sponsored by Hon. Oberuakpefe Anthony Afe*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1           **1.**-(1) A casual worker shall be entitled to the following privileges:

Rights and privileges of casual workers

2           (a) A person employed as a casual worker in the banking industry  
3 howsoever so described, shall be elevated and or converted to the status of a  
4 permanent staff after serving the same bank for a cumulative period of ten  
5 years or a continuous stretch of ten years either in the same status or in  
6 different capacities;

7           (b) A person employed as a casual worker in the oil servicing  
8 company either directly or through the agency of labour supplier, shall be  
9 converted or elevated as a permanent staff of the company for which his  
10 services are rendered after serving for a period of 3 years cumulatively or  
11 continuously;

12           (c) A person employed as a casual worker in the manufacturing or  
13 petroleum industry, shall be converted or elevated to the status of a  
14 permanent staff after serving cumulatively or continuously for a period of 7  
15 years.

16           **2.**-(1) A casual worker shall not be paid less than fifty percent  
17 monthly of the salary of a permanent staff of the same employment and or  
18 the same qualifications.

Permissible salary payable to a casual worker

19           (2) A casual staff in a contract employment of temporary or brief  
20 period shall not be paid less than the amount of the unit labour costing as  
21 spelt out in the bidding, and or contract award terms.

Offences in relation to rights and privileges of a casual worker	1 2 3	<b>3.-(1)</b> A person who- (a) Pays a casual worker an amount less than the figures quoted in the
	3	contract bid, or
	4	(b) pays an amount less than down fifty percent of the salary of a
	5	permanent staff of equivalent status and or qualifications shall be guilty of an
	6	offence and on conviction shall-
	7	(i) in the case of an individual be sentenced to imprisonment for three
	8	years, without the option of a fine; and
	9	(ii) in the case of a body corporate, be sentenced to a fine of not less
	10	than three million naira (3,000,000).
Offences by corporate body	11 12	<b>4.</b> Where any offence under this Act by a body corporate is proved to
	13	have been committed with the consent of or connivance of, or to be attributable
	14	to any neglect on the part of any director , manager , secretary or other similar
	15	officer , servant or agent of the body corporate , shall be deemed to be guilty of
	16	the offence and may be proceeded against and punished in the same manner as
	17	an individual.
Duty of employer to submit report on the status of taxable income deduction	17 18 19	<b>5.</b> It shall be obligatory for every employer of labour to submit
	18	quarterly report of deducted tax pro rata the legitimate and or prescribed salary
	19	for each category of workers covered by this Act.
Offence of falsification of report	20 21	<b>6.</b> It is an offence punishable with fine and or imprisonment for an
	22	official to turn a false report or incongruous figures in respect of deducted
	23	taxes purportedly paid on behalf of a worker, and such person shall on
	24	conviction be sentenced to three years imprisonment without option of fine.
Punishment	24 25	<b>7.</b> Any company or organization who flouts the provision of this law ,
	26	may be liable to be wound up and the persons behind the infraction shall be
	27	prohibited for life from setting up a corporate body for any business
	28	whatsoever in Nigeria.
Procedure for recovery of unpaid entitlements	28 29	<b>8.</b> Any casual worker who is paid salary below what is quoted for in
	30	the job bid or is otherwise entitled to, may initiate a liquidated action under the
		undefended list in a state or federal high court to recover same.

1                    **9.** This Bill may be cited as Casual Workers Rights Protection Bill.    Citation  
2                    2020.

EXPLANATORY MEMORANDUM

This Bill seeks to protect casual workers from exploitation by Employers of Labour in Nigeria.