A BILL

FOR

AN ACT TO AMEND THE LABOUR ACT TO PROHIBIT AND CRIMINALISE CASUALIZATION OF WORKERS AFTER SIX MONTHS OF ENGAGEMENT BY EMPLOYERS IN NIGERIA, OUTSOURCING EMPLOYMENT IN CORE AREAS OF **OPERATION AND FOR RELATED MATTERS**

Sponsored by Hon. Tasir Olawale Raji

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

1. The Labour Act (herein referred to as "The Principal Act") is 1 2 hereby amended as set out hereunder.

2. The Principal Act is hereby amended by creating new Section 8 3 4 as follows:

5 S.8-(1) Every worker in Nigeria engaged or employed by and has 6 remained in such employment for a period of not less than six months shall 7 have his employment or engagement regularized by the Employer as a full and permanent staff of such employer with all its accompanying 8 9 entitlements.

(2) Any Employer who disengages a worker after a period of six 10 months from the date of first engagement without regularizing the worker's 11 employment as in sub section 1 of this section shall at the date of 12 disengagement pay to the worker full salary and all allowances and 13 14 entitlements due to a permanent staff for six months as if the worker has been a permanent staff in the employment of the Employee for six months 15 immediately preceding the date of disengagement provided the worker has 16 not been found liable of any criminal act involving fraud resulting to 17 18 financial loss to the company.

(3) Notwithstanding Section 23 of this Act, failure to comply with 19

Commencement

Amendment of the Principal Act 2 (a) in the case of a natural person, shall be liable on conviction to a fine not exceeding two million naira or to imprisonment for a period of two 3 years or to both such fine and imprisonment as the Court may deem fit without 4 5 prejudice to the right of the worker to his full entitlements as provided under 6 this section;

7 (b) in the case of a Corporate body, shall be liable on conviction to a 8 fine not exceeding two million naira or to imprisonment for a period of two 9 years for each director of the Company or to both such fine and imprisonment 10 as the Court may deem fit without prejudice to the right of the worker to his full entitlements as provided under this section 11

12 3. The Principal Act is hereby amended by creating new Section 9 as follows: 13

14 9 (1) notwithstanding Section 25 of this Act, an employer, who has 15 obtained the Minister's license, employment outsourcing by such employers within its core aims and objectives of operation is hereby prohibited. It is an 16 17 offence for an employer to pay another person, whether corporate or natural person for services rendered to it by its worker. 18

19 (2) Failure to comply with the provisions of subsection (1) above, the 20 employer shall be guilty of an offence and liable on conviction to:

(a) in the case of a natural person, shall be liable on conviction to a 21 22 fine not exceeding two million naira or to imprisonment for a period of two 23 years or to both such fine and imprisonment as the Court may deem fit without prejudice to the right of the worker to his full entitlements as provided under 24 this section; 25

(b) in the case of a Corporate body, shall be liable on conviction to a 26 27 fine not exceeding two million naira or to imprisonment for a period of two years for each director of the Company or to both such fine and imprisonment 28 29 as the Court may deem fit without prejudice to the right of the worker to his full entitlements as provided under this section. 30

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1	4. Section 91 (1) of the Principal Act is amended by inserting	Amendment of
2	"regularized means to make regular a worker's employment"	Section 91 (1)
3	5. The Principal Act is hereby amended by renumbering the	
4	existing sections 8 to 92 of the Principal Act as sections 10 to 94 of the	
5	Labour (Amendment) Bill, 2019.	
6	6. This Bill may be cited as the Labour Act (Amendment) Bill,	Citation
7	2019.	
	EXPLANATORY NOTES	
	This Bill seeks to amend the Labour Act to Prohibit and Criminalize	

Casualization of Employment more than Six Months by Employers in Nigeria, outsourcing employment in core areas of operation.