

# Divided Labour and divided in-firm markets in the Nigerian Petroleum sector

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*This article examines ways in which Shell management have sought to flexibly segment their Nigerian workforce and the consequences of such restructuring for workers and jobs. The main thrust of this article is to describe and analyse the important characteristics of labour market flexibility in Shell Nigeria. It also highlights the dilemmas this strategy poses for its indigenous workers and employment relations; and critically assesses the kind of flexibility policy the management of Shell is pursuing in order to secure the future of the company. Primary and secondary sources were used for this work. Qualitative analysis of available evidence suggests that managers are compartmentalising workers in the internal labour market into core - periphery segments.*

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## INTRODUCTION

Within the last two decades, many Sub-Saharan African (SSA) countries including Nigeria have implemented the IMF and World Bank assisted structural economic reform policies aimed at reversing the post independence economic decline and eventually promoting economic growth through enhanced trade liberalisation and development. The full implementation of these policies initially proved costly for some of these African countries. Nigeria for example, alongside the ongoing domestically designed economic reforms initiated by the Nigerian government, has also experienced a significant shift in the labour market for gas and oil. The petroleum sector has been experiencing an intensive ‘hollowing out’ or ‘contraction’ of indigenous workers from the centre to the secondary labour market by some of the multinational corporations such as Shell operating in Nigeria. These practices are classical representations of current debates on shifting employment trends in the workplace and added evidence that large firms have strategically accelerated moves towards internal segmentation of their labour market (Kalleberg, 2003; Conley, 2006). This departure from the ‘integrated firm’ towards the outsourcing of non-core activities and workers has been achieved through the flexible firm model advocated by Atkinson (1985). So far, considerable literatures have been devoted to the increase of FDI, diffusion of practices and new employment patterns (Rugman et al, 2006). It appears little research has been undertaken on the perspective of indigenous workers on the accelerated use of labour market segmentation and flexibility in foreign-owned businesses operating in Nigeria and the negative consequences of such restructuring for workers and jobs.

The main thrust of this article is to evaluate the importance of labour market segmentation and numerical flexibility of indigenous workers in Shell Petroleum Development Company (SPDC) operating in Nigeria. Specifically the objectives of this article are (a) to describe and analyse the important characteristics of labour market segmentation and numerical flexibility of indigenous workers in Shell Nigeria; (b) to highlight the dilemmas this strategy poses for Shell’s indigenous workers and employment relations; and (c) to critically assess the kind of flexibility policy the management of Shell is pursuing in order to secure the future of the company. This article is important in two ways. First, the authors believe that this study would be of great interest to academics and in particular multinational corporations that are seeking to have joint ventures in Nigeria. Second, this article fills the research gap by using data from Shell Nigeria in evaluating the methods that Shell management adopts in its bid to restructure the

workforce and control labour in Nigeria. This assessment becomes significant when placed within the wider context of the ongoing violence i.e. kidnappings and killings of oil workers in the Niger Delta area of Nigeria.

### **CHARACTERISTICS/ASPECTS OF THE NIGERIAN LABOUR MARKET**

The Nigerian economy is heavily reliant on the oil sector, which generates 20% of GDP, 95% of foreign exchange earnings, and about 80% of budgetary revenues (CIA World Factbook, 2008). In 2007, real GDP growth was 6.4% whereas GDP per capita (2007 estimates) was \$2000. The composition of GDP by sector (2007 estimates) is as follows: agriculture 17.6%, industry 52.7% and services 29.7%. The inflation rate (consumer prices) was 5.5% (2007 estimate). The population below poverty line (2007 estimate) was 70%. The labour force is estimated to be 50.13million of which the labour force by occupation (1999 estimates), in agriculture was 70%, industry 10% and 20% in the services sector (CIA World Factbook, 2008). This seemingly qualifies it as the largest workforce in Africa. Unemployment was estimated at 4.9 percent in 2007 compared to an overall figure of 5.8% in 2006, urban unemployment was 12.3 percent which exceeded rural unemployment of 7.4 percent (CIA World Fact book, 2008, Library of Congress, Nigeria Profile 2008). The intense struggle for scarce employment opportunities empowers and places a multinational employer, such as Shell, in an asymmetrical position in the employment relationship.

### **THE EXISTING LITERATURE**

Employers in their pursuit to control and maximise labour surplus are devising a variety of work control strategies aimed at sustaining production, efficiency, greater diversity and competitive workforce. One way through which control can be channelled is through numerical flexibility (Thompson, 1989). This view is clearly reflected in the concept of “dual labour market model” which is located within the remit of labour market segmentation thesis. There are different types of labour markets for different kinds of labour and movement of workers within the market is limited, especially when one is moving from the secondary market to the primary (Sawyer, 1989). In this model, secondary jobs are poorly paid, open to market volatility, have little job security and often poor conditions of work. Primary jobs are better paid, with job security and better job conditions than their counterparts in the secondary markets. An autopsy of the current social and economic conditions since the 1980s, suggests that some (if not many) large firms have strategically underscored the need for strategic internal segmentation of their labour market through various flexible policies (Watson, 2003). Closely related to the labour market segmentation model is the flexibility model. According to Tailby (1999) flexibility connotes ‘the quality of responsiveness to changing condition, it is often interpreted in relation to its opposite, that is as the absence of rigidity and constraint.

The discussion of flexibility was popularised by Atkinson in the early 1980s. He adopted the notions of the segmented labour market theory and proposed the flexible firm model (Atkinson 1985). For him, the flexible firm is a ‘pragmatic and opportunistic’ model aimed at creating a two-tier in-firm labour market of core group of workers who undertake the organisations key firm-specific activities and are shielded by ‘cluster of peripheral’ workers. These workers often have general skills and are meant to conduct indeterminate and secondary activities within the firm. This new work design as purported by Atkinson is a break away from the conventional hierarchical configuration of firms and gives the employer a slackened contractual relationship between the employer and employee (Atkinson 1984:28-31; 1986: 3-6). In this study the authors focus on numerical flexibility. The notion of numerical flexibility hinges on the ability of the manager to bring workers in just in time to furnish services the employers want them to fulfil and dismiss them when not needed (Atkinson 1986). By doing this, the employer keeps a constant amount of workers whose activities and skills are core to the firm’s needs. If numerical flexibility is effectively utilised, it leads to financial flexibility and enhances the total quality management of the firm. Numerical flexibility is achieved by using alternatives to conventional full-time employees. This includes the use of part-time, temporary work, casual and short-term contracts and the externalisation of work through ad hoc contracting out (Procter and Ackroyd, 2006). There are several reasons managers utilise

the segmented labour market or flexible firm. For instance, it allows them to structure and reinforce their control at work through facilitating a more 'efficient use, or alternatively effective exploitation' of labour (Claydon, 2001). Flexibility affords employers the opportunity to arrange workers within the contractual arrangement in a way that places them in the insecure market, even if the skills of the worker were essential. This places the employer in a position of power and control within the employment relations (Claydon, 2001).

## **RESEARCH METHODOLOGY**

This article employed the use of a qualitative research design. Primary and secondary sources were used to identify and evaluate strategies utilised by Shell management in its bid to control labour in its Nigerian subsidiary. The focus of the research task resulted in an attempt to use three main types of data, which involved a series of in-depth interviews backed up by secondary and primary documentary data. The documentary data included Shell's policy such as original letters of employment from indigenous workers on open-ended contracts and casual/contract workers, Annual Reports and union agreements, communiqués. It should be noted that the use of these three types of evidence was aimed at minimizing or overly relying on a single data source. It was also aimed at producing a deliberate tension which led to the generation of second order questions to direct the research process. The contradictions between published statements, practice and core values provide the basis for some of the major findings reported in the section with the sub-heading Analysis of Empirical results. These three data sources were visited repeatedly as research gaps and fieldwork opportunities arose. Such a spread of data yielded rich amount of evidence and set of concerns which inform this article.

The site for this study has been "Shell" Petroleum Development Company Nigeria. The company was undertaking changes in their strategies between 2004 and 2006, which were consistent with the central themes of this study. Note that the result of this study focuses on the experiences during this period. Shell is the operator of a Joint Venture Agreement with the Nigerian National Petroleum Corporation (NNPC), which holds 55% while Shell, holds 30%. Shell is the largest employer of labour in the Nigerian oil sector and has been in the country over 65 years or since Nigeria was a Greenfield. 46 respondents are made up of four (4) senior managers, 31 middle management/ junior indigenous workers, and 11 officials from the two petroleum workers' trade unions were interviewed. Respondents interviewed were drawn from Shell Nigeria's Human Resource Unit, Industrial Relations Units, Community Development Unit, and Legal Unit. Permission was sought from managers of various units to interview other workers. The fieldwork was conducted from September 2005 to January 2006. In other words, it took five months to complete all the interviews. The interviews response rate was 100% particularly among Shell respondents who intermittently were on weekend studies in the Delta State University for that length of time.

## **ANALYSIS OF EMPIRICAL RESULTS**

The evidence from this study suggests that there is a clear demarcation in the character of core and periphery/secondary workers in Shell Nigeria. However, the secondary/peripheral workers are not strictly legal employees of Shell Nigeria. These categories of workers are temporary workers usually supplied by contractors or agencies. Indigenous and expatriate workers within Shell's core labour market enjoy career mobility, are well remunerated and, more importantly, they have security of employment. Although expatriate workers are not members of the union, a significant number of indigenous core workers are unionised. Note that indigenous workers within the core of Shell are not necessarily segmented along occupational lines. Rather, managers who strategically decide on which skills are needed at a particular time segment the internal labour market. Often similar occupational categories that can be found within the core of Shell are found within the periphery. These include engineers, geologists, drilling engineers, and lawyers. There are clear demarcations between the terms and conditions of core indigenous workers and core expatriate workers. For example, a respondent in the industrial relations unit pointed out that 'Nigerians often start off from a disadvantaged position in Shell Nigeria from day one'. This aligns with the union's position that:

*A fresh indigenous graduate joining the company in Nigeria is employed on job group 7, while his counterpart an expatriate who joins on the same day with the same qualification outside Nigeria is employed on job group 5 (a higher position and remuneration). On confirmation the expatriate is automatically promoted to job group 4, while there is no promotion to the next job group for his Nigerian counterpart. The effect of this promotion and discrimination is very obvious and observable in that as soon as the expatriate comes to Nigeria on foreign assignment most often he becomes the boss of his Nigerian counterpart (PENGASSAN 2004).*

One major point often expressed by indigenous workers is the fact that they perceive their employment as being threatened on two fronts. The first is through the fear of replacing the indigenous workers by expatriate workers, and the second is through the subtle injection of managerial initiatives that encourage the enlargement of the secondary workforce and threaten the indigenous workers in the core. One of the respondents, an experienced Shell geologist for over fifteen years in the core segment, alluded to this. He argued that an important indicator of knowing who has security of work or employment in Shell can easily be seen and felt during Shell managerial drives to reduce the workforce. He says:

*Since 1996, 1999, 2003 and 2004 when Shell launched SOFU (“securing our future”), Shell managers have continuously operated anti-indigenous managerial schemes. It is the indigenous workers that experience redundancy, dismissal, sackings and even demotion from a higher level to a lower level in status thus affecting their salary. (Shell Geologist).*

Considering the above statement in the light of the flexible firm model, this study believes that the secondary/peripheral workers who are not directly employed by Shell Nigeria are not expected to enjoy the same privileges or benefits of those within the core segment. On the other hand, under the labour market segmentation school of thought secondary workers are considered as employees and should have the same privileges as though within the core segment. Often, during the interviews conducted for this study, indigenous peripheral/secondary workers perceived job security as being about salaries, pension, housing, promotion, transport and health allowances. For instance, a respondent in the community development unit, argued that ‘it is simply unfair for Shell management, with all the profit they make from the Nigerian oil and gas sector, to increasingly give employment contracts to Nigerians without benefits.’ As much as this is statement might be a true reflection of the thinking of secondary workers in relation to core recruitment, it cannot be argued that Shell is being unfair to these type of workers because they are not Shell employees under the flexible firm model. Barron *et al*, (1991) among other labour market segmentation theorists on the other hand, argue that this calibre of workers should be accepted as workers of Shell particularly if they have worked for Shell for a long period of time. This study argues that movement from the secondary to the primary segment of the internal labour market by indigenous secondary/peripheral is often limited. This aligns with Barron *et al* (1991) who argue that workers in the periphery are plagued by the fact that ‘mobility across the boundary of these sectors is restricted, and higher paying jobs are tied into promotional or career ladders, while lower paid jobs offer few opportunities for vertical movement’. Shell managers use periods of long-drawn-out strikes as opportunities to reward deserving loyal workers in the secondary workforce. Managers can move a peripheral worker’s employment from temporary to permanent or the core segment. Also, note that core workers can be demoted or sacked during periods of protracted strikes. In support of the findings of Barron *et al* (1991) an official of Shell PENGASSAN pointed out that movements within Shell’s labour market seldom occur. However, they occur when there are protracted strikes.

There is often the possibility of Shell management replacing any core or permanent Shell employee with a reliable contract/casual worker. The appointment of the temporary worker can be converted to permanent with immediate effect. This study believes that Shell management does this because it helps them keep the indigenous workers in the core sector and periphery/servicing sector in check when there are trade

disputes, which involve strikes. The truth is that any of the groups of workers, permanent or temporary, that go on protracted strikes can potentially lose their jobs. Movements can also occur through recruitment or conversion of peripheral contracts. This happens when a particular skill(s) is scarce, i.e. drilling engineers.

The trends induced by the use of precarious work contracts and its associated regime in Shell Nigeria support Burchell (1999), Kelleberg (2003) and several segmented labour market studies. For instance, Burchell (1999) argues that job dismissal, loss of valued job benefits such as losing promotion opportunities, losing their customary pay rise, losing control over the pace of work or even the ability to complete the work can trigger feelings of insecurity. In some cases, the loss of valued job benefits lead to a reduction in the quality of working life.

A general term used to describe workers in the secondary/peripheral labour market of Nigeria's oil sector is 'casualisation'. Arguably, casualisation is not a new term in employment relations, however, as noted above management of Shell Nigeria are not obligated to this category of workers because they do not have direct contractual arrangements with them even though some of these workers tend to remain secondary over a long period of time. There is an argument to be made however, that sometimes the way Shell Nigeria uses the secondary/peripheral workforce negates the theory of the flexible firm. In the case of the dual labour market segmentation theory, casualisation refers to all workers with the exception of permanent workers as secondary/peripheral workers. It connotes an employment condition where the contractual terms and conditions may lack the element of security and stability. For instance, a respondent maintained that *'most workers in Shell and the oil sector do not see casualisation in a good light, they see a casual worker as one whose job is not taken too seriously, a non-permanent, non pensionable worker and not entitled to company welfare benefits i.e. transport, housing, medical'*.

The empirical results reflect Sawyer's position as well as many other scholars who argue that, the prevalence of secondary jobs in a firm's internal labour market is prima facie an indicator that the firm can be described as a secondary labour market (Sawyer 1989; Barron et al 1991). The continuous shift towards a two-tier workforce in which majority of host community workers have been sentenced to the insecure peripheral 'theatre' of Shell Nigeria's labour market conjures a palpable sense of ill-feeling among indigenous workers and communities surrounding the firm. Nigerians tend to have a perception that work should be for life. Otite, (2001) in his study found that work in traditional Nigerian communities is characterised by security of employment, there is no fear of redundancy, early retirement or dismissal. This norm has expressions in civil service jobs, where employment contracts are often on a permanent basis. In urban and rural Nigeria the preference of work-for-life is obvious, as social security is virtually a non-existent resource. For many in Nigeria, getting a "permanent job" is the only way they can augment for the poor allocation or distribution of social amenities.

Following the Nigerian legal framework, Shell management recognises workers with "contracts of service" (core/primary workers) as their employees whereas workers with "contract for service" (peripheral/secondary) workers as indirect employees. The proportion of core /primary workers (including expatriates and indigenous) in figure 1.2 exceeds the proportion of peripheral/secondary or contract workers. According to Shell's annual report between 1998 and 2001, Shell directly employed 4,000 core workers while 10,000 workers were retained in the peripheral segment of the company's labour force (People and the Environment Annual Report, 2001:3). This situation slightly changed in 2002, as Shell retained about 5,000 core workers and increased the casual/contract workers to over 12,000 workers (People and the Environment Annual Report, 2002:13). By 2003, the gap between the core and peripheral workforce widened significantly as the number of core workers increased to about 5,000 workers, while the periphery workforce increased to about 20,000 workers (People and the Environment Annual Report, 2004). During the interview for this study, one of the human resource managers believed that there are about 4,000 workers in the core and 'over 50,000 workers in the serving sector' or periphery

(HR Shell manager). Undoubtedly, the extent to which numerical segmentation has been put to use in Shell's subsidiary in Nigeria does not appear as accidental, 'pragmatic and opportunistic' as purported by Atkinson (1985); rather this study argues alongside the segmented labour market model that this is a deliberate managerial strategy which becomes more obvious when this study takes a retrospective review of Shell's own People and the Environment Annual Report between 1998 and 2004.

One of the respondents, a human resource manager, argues that 'Shell traditionally keeps a small core workforce'. Given that Shell Nigeria generates more profit than some of its other subsidiaries in other countries, many stakeholders argue that the core workforce in Shell Nigeria should be enlarged, rather than enlarging its peripheral workforce (PENGASSAN 2001). However, Shell managers have always argued that it traditionally keeps a small core workforce which was not consistent with the practice in the UK. For example, in 2005, Shell UK management claimed that the company had a core workforce of 9,000 workers and another 6,000 workers in subsidiary businesses across the UK (source Shell UK, 2005). The official figures given by the management of Shell Nigeria in the view of this study are apparently sanitised. For instance, in 2001, the two oil and gas unions within Shell (PENGASSAN and NUPENG) claimed that Shell Nigeria directly employed 520 core workers and 8,000 periphery workers. However, Shell alleges that they directly employed 4,000 workers in the core and 10,000 workers in the periphery. The differences in the data presented by Shell and the unions for 2001 give an impression that the use of a secondary workforce in Shell is more extensive and the core workforce is numerically smaller than recorded (Eppah 2001; People and the Environment Annual Report of the Shell Petroleum Development Company, p. 3). It appears at best that, as a multinational firm, Shell adopts different labour policies for different economies and countries. Much will depend on the extent to which an economy is deregulated. For one of the respondents, the escalating use of a secondary workforce is a '*direct result of the increasing demand for oil and gas globally*'. However, in this study the authors are of the opinion that this explanation is tenuous as it does not clarify why or how the growth of the core/primary segment appears stagnant and not affected by the increase in global oil demand.

## **CONCLUSION AND RECOMMENDATIONS**

This study described and analysed the important characteristics/aspects of labour market segmentation and numerical flexibility of workers in Shell Nigeria. It aimed to uncover elements of this mechanism as used by Shell managers in Nigeria. The result of this empirical study suggests that under the labour market segmentation model Shell managers have compartmentalised workers in the internal labour market into core and peripheral margins. This division is reflected in enormous variations in the terms of the contract, conditions of service and the opportunities available to those working in the same work environment and exposed to the same kind of risk. Most of these have been widely deployed by managers seeking to control labour in various geographies and contexts. Relating the case of Shell Nigeria to Atkinson's flexible firm model, the result of this study shows that there are two categories of workers namely core workers usually referred to as permanent staff and peripheral workers (usually referred to as contract staff in Shell Nigeria). In each category, you have both expatriates workers and indigenous workers and peripheral expatriates and peripheral indigenous workers. Like the flexible firm model, core workers in SPDC are also workers whose skills are not necessarily core to the operations of the companies. Similarly, in the peripheral categories of SPDC you have skills that are both core and non-core to the operations of the company. This is already an interesting model that is different from the flexible firm model and such a distinction has already been made in this study.

In closing this study makes three important recommendations. First, this study believes that there is an overwhelming need for an overhaul in the international business strategies pursued by MNEs such as Shell Nigeria. Ethical considerations should not be sabotaged in return for profit. It is important that MNEs operating in developing countries openly demonstrate a willingness to be socially responsible in creating stable jobs. Second, this study recommends that the Nigerian government together with the MNEs in the oil sector make concerted effort towards moving the Nigerian oil industry from solely a

secondary workforce to expanding the primary workforce to cater for the indigenous workers' needs. The Nigerian government should endeavour to safeguard workers within the precarious segments of the labour markets. These can be done by enacting and reviewing the labour and employment laws to cater for the natural progression of workers from the peripheral of the flexible firm model into the core within six to twelve months.

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