

GENDER DISCRIMINATORY LAWS IN NIGERIA'S LABOUR SECTOR: A VIOLATION OF INTERNATIONAL LABOUR ORGANIZATION (ILO) STANDARD

*Patricia Imade Gbobo**

ABSTRACT

Gender equality ensures that both male and female are accorded equal respect and treatment free from discrimination especially in all labour relations. In Nigeria, the *Labour Act* has several protective provisions for the female gender. However, it was observed that in spite of these laudable provisions, in practice, female employees are discriminated against at workplaces both in the private and public sectors in Nigeria. The discrimination is in the form of preference for males with same or even lesser academic qualifications than females, stringent condition for employment in the military and para-military services amongst others. This is a clear violation of the *International Labour Organization (ILO)* provisions which broadly advocates for gender equality in workplaces as provided in its Conventions such as *Equal Remuneration Convention* 1951 ratified by Nigeria 8 May 1974; *Maternity Protection Convention* of 2000, ratified 7 February 2002; *Discrimination (Employment and Occupation) Convention* 1958, ratified 2 October 2002 amongst others, which Nigeria has ratified and therefore bound to follow these Conventions. However, the provision of Section 12 of the Nigerian Constitution stipulates thorough scrutiny of international treaties and conventions by the legislative arm of government before its execution even when such treaties have been ratified by the country. This article specifically analyses the gender labour discriminatory practices in the private and public sector of the Nigerian economy and proffered policy measures to avert and completely abolish incidences of gender disparity within the workforce. The article submits that the Nigerian Labour laws as well as other Nigerian laws related to the female (i.e. *The Nigerian Police Act; Immigration Act* and several other laws) need to be amended and a unified equitable law applicable to both the private and public sector of labour in Nigeria should be implemented to address these gender injustices in employment.

* LLB, BL, LLM. Lecturer, Faculty of Law, University of Port Harcourt. Barrister and Solicitor of the Supreme Court of Nigeria. The author wishes to thank Menes Abinami Muzan of the Faculty of Law, University of Port Harcourt for the comments and feedback on an earlier draft of this article.