

Grievances Redress Procedure and Job Retention in Nigerian Civil Service - An Appraisal

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Abstract

Grievances that are not properly handled have been one of the reasons some staff leave their jobs. Retaining the best and hardworking staff in an organisation is a significant concern of every organisation. Employee grievance mechanism is an indispensable feature of every organisation whether in the public or private sector and obviously, every organisation is interested in retaining dedicated work. Force institutes good grievance redress procedure. This paper appraised grievance redress procedure and job retention in the Nigerian civil service. The study adopted historical /descriptive methods. This study was anchored on expectancy theory as the theoretical framework. The findings of this study indicated that grievance redress procedure in the Nigerian civil service is one of the reasons some civil servants choose to stay with the civil service despite low remuneration as compared to others, especially in the oil and gas sectors. Also, grievance redress procedure in the Nigerian civil service is well documented and cannot be easily altered. Accordingly, the paper recommended that grievance redress procedure of the Nigerian civil service should be strictly enforced to enhance effective service delivery and job retention.

Key words: Grievance, redress procedures, job retention, Nigerian civil service.

Introduction

The issue of grievance redress procedure in an organisation has received considerable critical attention. There is hardly any organisation that can function smoothly at all times without grievance. Naturally, where two or a group of persons agree to come together to do a particular task, grievances may naturally set in. It is therefore, necessary for a proper mechanism on how grievances could be redressed or resolved, to be spelt out clearly, to pave way for how to co-exist harmoniously. Grievances in an organisation could take the form of employees having complaints against their employers, while in others it could be the employer who has grievances against the employee. These grievances could be real or imaginary, valid or invalid, genuine or false (Mamoria and Gankar, 2010). Grievances are feelings which may be real, sometime imaginary. Man by nature is a complex being and some actions may be perceived negatively by another even when the intension is right. In some cases, allegations against a staff may be framed up to bring down a staff. In every organisation, considerable attention is given to grievance redress procedure since grievance is inevitable in every human endeavour.

Grievances bring about rise in unhappiness, setback, dissatisfaction, hatred, low productivity, poor morale and these may affect service delivery. Grievance implies complaint that have been formally expressed by an individual or group to the management or its representative on an account of injustice or perceived injustice to an individual or group with the intention of seeking redress. In every industrial establishment in which fifty or more workmen are employed or have been employed on any day in the preceding twelve months, the employer is required to constitute, in accordance with the rules framed in this regard, a grievance settlement for the settlement of industrial disputes connected with an individual workman employed in the establishment (Sinha, Sinha and Shekhar, 2009).

The concept of grievance redress procedure in an organisation is extremely difficult to be ignored. Grievance redress procedure is one of the factors that help to determine the quality of service delivery in the Nigerian Civil Service. That is because, every organisation, whether public or private, desires to retain her work force, and this is very critical to the success of the organisation. Employee retention in recent time has become an important item in organisations. According to Torrington et al (2005: 554):

Apart from what is written in the contract of employment, both parties will have expectations of what is to come. Employees are likely to expect, for instance, a congenial working situation with like-minded colleagues, opportunity to use existing skills and to acquire others, work that does not offend their personal value system...Employer will have expectations such as willing participation in the team, conscientious and imaginative use of existing skills and an ability to acquire others....

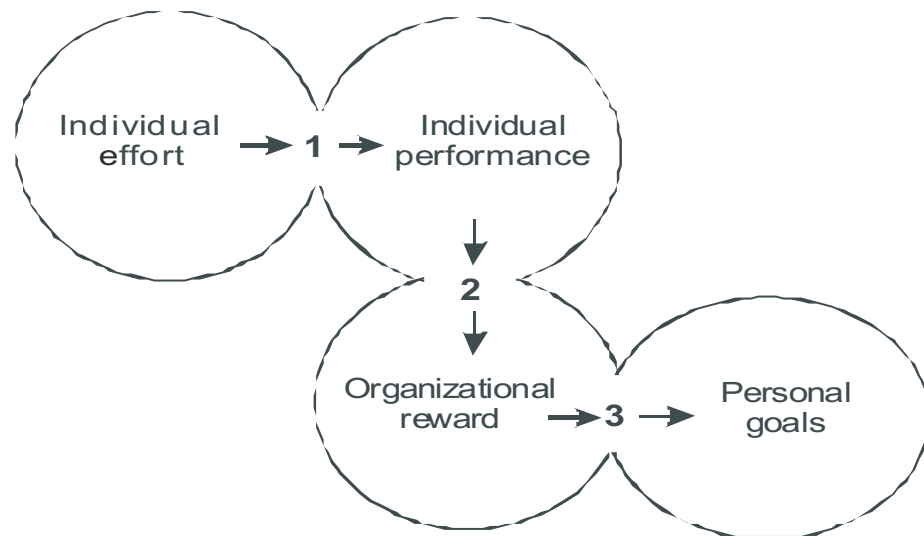
Retaining employees is likewise complex as it is often assumed that management should be well informed of what enhances employee retention. The Nigerian Civil Service is committed to retaining her workforce. As a model organisation, the civil service is guided by prescribed rules and regulations aimed firstly, at ensuring that its members of staff render the type of service which will enable it to play the role for which it has been created such as formulation of policies, drafting of bills, advisory roles, implementation of government policies, revenue collection, law making, semi-judicial function, education/enlightenment of the public, records/property keeping, preparation of annual estimates and budgets, and secondly, at creating the atmosphere of satisfaction and sanity which enhance cordial employee-employer relationship. This paper seeks to appraise how grievances redress procedures help in job retention in Civil Service in Nigeria.

Theoretical Framework

The theoretical framework adopted for this study is the Expectancy Theory of motivation. The proponent of this theory is Victor H. Vroom and it expands upon those theories developed by Maslow and Herzberg. Vroom in his work paid attention to individual behaviour in the workplace. The theory is one of the important process theories and many believe it goes far in explaining how employees are motivated. The theorist holds that employees will be motivated to exert a high level of effort when they believe that their effort will lead to a good performance appraisal, which will in turn lead to organisational rewards such as a bonus, salary increase or promotion. The rewards will satisfy the employees' personal goal (Sapru, 2003). Employees will be motivated to do things to reach a goal if they believe in the worth of that goal and if they can see that what they do will help them in achieving it (Vroom 1964 cited in Weihrich *et al*, 2008). The crux of this theory is that motivated behaviour is a product of two key variables which include the valence of an outcome for the individual and the expectancy that a particular act will be followed by a predictable outcome

(Cole, 2005).

Expectancy theory argues that the strength of a tendency to act in a certain way depends on the strength of an expectation that the act will be followed by a given out-come and on the attractiveness of the outcome to the individual (Mamoria and Gankar, 2010). A motive to accomplish certain tasks may depend on both valence and expectation. A valence is the value or anticipated satisfaction from an outcome. The expectancy theory focuses on three relationships that are complex, namely: effort-performance relationship, performance-reward relationship, and reward-personal goal relationship.



Source: Sapru (2013)

This theory emphasises that reward should be tailored towards the individual so that the staff may not be disappointed if the expectation is not met. Hence, effort should be made in an organisation to pay off or offer reward to align with what the employee wants. The theory also emphasises that concern should be given to the attractiveness of rewards, which requires understanding and knowledge of what value the staff places on organisation pay off.

Accordingly, this theory is very relevant to this study because most civil servants in Nigeria are driven to civil service job because of job security and self-centred motivation. This self-centred motivation has a lot to do with time as compared to private sector and there are laid down grievances redress procedures that create avenues for appeal if the staff is wrongly victimised. This scenario is quite different from some private establishments, where staff can be sacked without recourse to appeal. Most civil servants hold on to their jobs believing that the higher they go, the better the remuneration and above all, retirement benefits at the end of their career. This may account for why civil servants, despite poor remuneration, still hold on to their jobs and not go for a more “promising” private sector jobs. This also explains why applicants are still struggling for civil service jobs. This seems to account for the preference for civil service jobs despite the relatively poor remuneration when compared with the private sector.

Conceptual Explication Grievance Procedure

As earlier observed, grievance is inevitable in every organisation. It could be employer against employee and vice versa. The main aim of grievance procedure is allowing parties know how to handle grievances when they arise in an organisation. According to Bear 1970 cited in Mamoria and Gankar (2010), the grievance procedure is a problem-solving, dispute settling machinery which has been set up following an agreement to that effect or an employee makes and processes

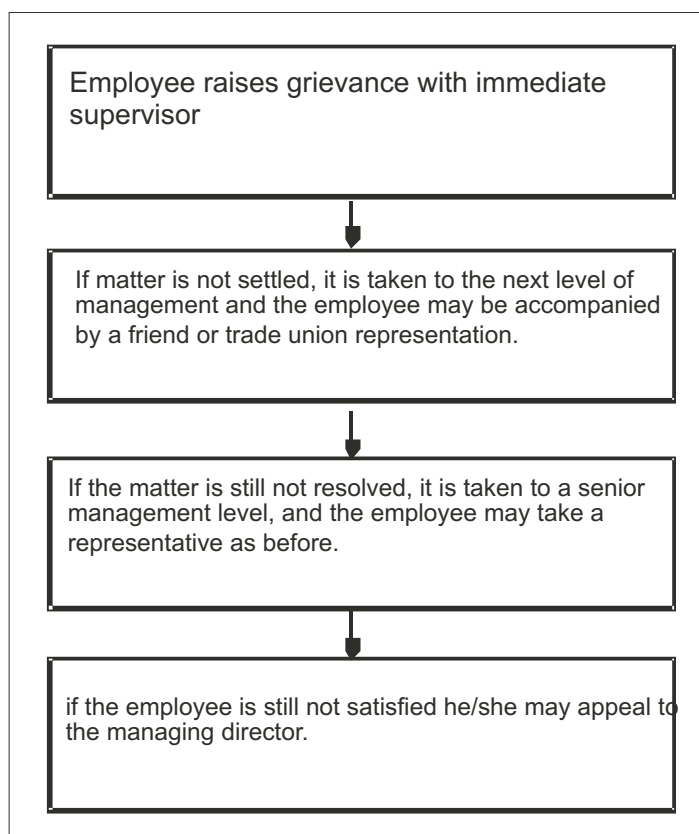
his claim that there has been a violation of the labour agreement by the employer.

Further, grievance procedure is an instrument employed by organisations both in the public and private sectors which is formulated as a guiding principle that the employer and employee rely upon when disputes set in. It is the manual that defines the boundary of operations in an establishment as it relates to relationship between staff and management as well as staff versus staff. The aim is to develop the right understanding in relation with members of staff in an organisation. The following have been identified by Torrington *et al* (2005) as key features in a well-designed grievance procedure: fairness, facilities for representation, procedural steps and promptness. As a document for the interest of the organisation, it must be seen to be fair in dealing with members of staff. In the event of complaint, the grievance redress procedure must provide room for equity, fair hearing and prompt in dealing with issues. Steps and procedures of management of disputes must be clearly spelt out and not ambiguous to the understanding of staff. Grievance procedure is considered essential for a variety of reasons, which include:

- a. Most grievances seriously disturb the employees and it can affect their morale, productivity and willingness to cooperate.
- b. It is impossible for all the grievances by employee to be settled by first line supervisors.
- c. It serves as a check on the arbitrary action of the management.
- d. It serves as employee gripes, discontent and frustration (Mamoria and Gankar, 2010).

The procedure makes clear, for example, who does and who does not have the power to dismiss. It allows an aggrieved person to take a friend or a colleague of trade union representative along with him or her to the second stage. Below is a typical grievance procedure stages:

STAGES OF A TYPICAL GRIEVANCE PROCEDURE



Source: Cole, 2005

It is instructive to note that when grievances go beyond the first stage, it will be more of a formal case than mere discussions. Everything will be put in writing. As a device, it provides a platform for the settlement of grievances to the satisfaction of the trade union, employees and the management. It is a very vital instrument in the hands of the trade union. On the part of the management, it helps to detect any defect or flaws in the cause of discharging its duties. Such flaws can be corrected with grievance redress procedure. The grievance redress procedure enables the organisation to treat everyone equally, as such, staff will have confidence in the organisation because justice would be gotten, no matter who is involved. These stages are relevant in the reduction of arbitrary dismissal of staff in an organisation since they are clearly stated and are part of the organisational procedure on management of staff welfare, as any deviation could bring litigation.

Job Retention

Retention of staff in an organisation is one of the critical functions of the Human Resource Management and it has been considerably important for healthy service delivery. It is essential to the long-term well-being and success of any organisation. Retention activities may be defined as a sum of all those activities aimed at increasing organisational commitment of employees, giving them overall ambitious and myriad of opportunities where they can grow by outperforming others (Bogdanowicz & Bailey, 2002).

Job retention involves deliberate move by an organisation (private or public) to create an environment/situation, which engage employees for a long term in the organisation since staff turnover or losing critical employees is costly to the organisation. Employee retention issues vary over time as labour market becomes successively tighter and looser depending on the economic condition (Torrington et al, 2005). Various scholars maintain that retaining organisations' best employees ensure customer satisfaction, increased productivity, and giving the employees sense of belonging.

According to Hausknecht, et al. (2009), the wide range of factors that impact on retention include: job satisfaction, extrinsic rewards, attachment to co-workers, commitment to the organisation, organisational prestige, organisational fairness, flexible work practice and advancement opportunities. However, not much has been done on grievance redress procedures as one of the ways of retaining staff in the civil service. The cost associated with recruiting and training a new employee to meet with the standard of the organisation is sometimes higher than the salary of a retained staff. Retention is most cost effective than hiring a new staff that will require training and this may have significant economic impact on the organisation especially, if it loses any of its critical employees.

Nigerian Civil Service

Civil service refers to the body of men and women, employed in a civil capacity and non-political or non-military career basis, by the Federal, State or Local Government primarily to render advice and faithfully give effect to government decisions. The civil service in Nigeria has played a major role in keeping Nigeria one, particularly during past military era, Nigerian civil war and political crises. The civil service was at the centre in effecting the post-civil war reconstruction and has been ensuring the continuity of the Fundamental Objective and Directive Principles of State Policies as enshrined in the Nigerian constitution. The civil service has helped to establish and nurture, without break, the principles and practice of democracy in the country. Since 1960, the civil service has become a major instrument for bringing about social and economic development and an important employer of labour in the country.

The features of civil service include:

- 1. Permanency:** This means that civil servants have security of tenure. They are not easily

thrown out of office like the Politicians. Government changes very frequently but the civil service does not change. This feature is obtainable in the Nigerian civil service act.

2. **Political Neutrality:** It implies that civil servants should not identify themselves with any Political Party, which means that they should be non-partisans while carrying out their responsibilities. In assessing the Nigerian situation, it is relatively difficult to assess who is a card carrying member of any political party. In Nigeria, most civil servants are recruited based on political connections. Politicians influence the appointing officers and the position of permanent secretary is politicized. These has contributed to making civil servants to be interested in politics since their appointment to some positions is based on political considerations.
3. **Merit system:** Civil servants are recruited and promoted on merit bases. This is to ensure that the right people are placed on the right positions at the right time. According to Abba (2008), during the recruitment exercise, the appointing officers tends to favour relatives, brothers-in-law and personal favourites. This act water down merit system in the civil service. Also the choice of who is to go on training is oftentimes influenced by politicians.
4. **Impartiality:** This implies that civil servants in discharging their duties, are supposed to treat everyone equally, being just to all manner of people at all time. In the Nigerian civil service, some officers are not operating in line with this very important characteristic that the service is known for. Nepotism is clearly seen in some offices in Nigeria.
5. **Anonymity:** Here civil servants are supposed to do their work without praise or blame. While working in the ministry or extra ministerial offices, a civil servant is to remain anonymous. This feature seems to be operational in Nigeria.
6. **Hierarchy:** This is the organization or arrangement of offices and officials of various ranks and grades in a systematic order from below to the top in superior-subordinate relationship.

The functions of the civil service include: policy implementation, policy formulation, delegated legislation, and administrative adjudication.

In Laxmikanth (2009), the following has been identified as the functions of civil service:

- i. administrative planning;
- ii. administration of public enterprises;
- iii. assisting the ministers in fulfilling their responsibilities towards the parliament and its committees;
- iv. handling financial operations of the state;
- v. reforming and improving administration through organisation and methods;
- vi. public relations.

Accordingly, the Nigerian Civil Service can be classified into the following: the administrative class, professional class, executive class, the clerical class, and manipulative class (Abba 2008), all with the sole aim of performing government business for the interest of the general public. The civil servants explore ways in which government policies/programmes can be effectively handled.

Grievances Redress Procedure in the Nigerian Civil Service

Grievance procedure spells out the steps on how grievances can be handled and the methods and approaches that will be adopted. When a particular case is referred to the civil service commission, the civil service commission consider the allegation, if in the opinion of the commission the alleged misconduct is not serious enough to warrant proceedings with a view to dismissal and the commission considers that the report of its investigation together with the written representation of the officer/employee provides sufficient evidence to do so, the commission may exonerate the officer/employee or inflict upon him such punishment other than dismissal or retirement, as the commission may deem fit. If in the opinion of the commission the alleged misconduct is serious enough to warrant proceedings with a view to dismissal or retirement, the following procedure is required:

- a. the officer/employee shall be notified in writing of the grounds upon which it is proposed to dismiss the staff and the staff shall be called upon to state in writing and submit to the commission any grounds upon which he relies to exculpate himself.
- b. Where the officer has furnished the statement mentioned above, the commission shall consider such statement and if it is of the opinion that the officer/employee has thereby exculpated himself, it shall direct no further proceeding to be taken and the officer shall be informed.
- c. Where the commission is not satisfied with the statement, the commission shall direct that proceedings shall continue and may either appoint a commission of inquiry into the matter and report back to the commission or the commission shall inquire into the matter itself in accordance with the procedure set out.
- d. The officer would be required to appear in person before the commission to defend himself.
- e. Witnesses of the officer shall be given an opportunity of being cross examined.
- f. The commission may, at its discretion, permit an officer to be represented by counsel and may at any time revoke such permission.
- g. If in the course of the inquiry, further grounds for dismissal are disclosed, the commission may direct that proceedings taken against the officer upon such grounds and the same procedure as for the original grounds shall be followed.
- h. The commission may, having inquired into the matter, direct that the officer be:
 - (i) dismissed
 - (ii) retired
 - (iii) given a lesser punishment, specifying the punishment, or
 - (iv) exonerated (Ekpikin, 1998)

With these steps/stages, there is room for appeal against the decision which shall lie with the president for or against the decision, which shall lie with the president for a review after all the internal avenues for redress or remedy have been exhausted, and if the officer still feels dissatisfied, he/she shall have the right to appeal to the president. With the above steps in dismissal/other punishments, arbitrary dismissal of any staff by superiors who may not like the staff is discouraged. These stages of redress have made some staff to retain their jobs in the civil service unlike the private organization where the process is easier; in some organization, a staff may be dismissed within one week but in the civil service it takes a while where all the stages must be followed.

In the civil service, these laid down procedure for settlement of disputes which civil servants have access to and whose boundaries they are aware of, enables them to file job related complaints when they feel aggrieved or dissatisfied. Once a staff is dissatisfied with the resolution of his/her

complaint, then a higher officer might hear the case and it continues like that till the last stage. At a higher level, if the staff is still grieved, an administrative law judge could adjudicate the issue. On the part of the employee, he/she may be dissatisfied and harbours a grievance when he/she feels that he/she is treated wrongly. Chandra (1968) cited in Mamoria and Gankar (2010) identified the following as the causes of grievances on the part of the employee:

- i. Promotions: Here, when a staff that is due for promotion is not promoted, such staff may be aggrieved.
- ii. Amenities: Amenities in an office may cause grievance when what is due a particular staff is not given to the staff. When the staff is working in an unfriendly environment, it may bring about grievance. Inadequate safety materials in some offices exposes staff to danger and it may cause dispute.
- iii. continuity of services: Some staff who wish they could continue their services in a particular place/office, when this is not done, could be aggrieved and as such, raise complaints against the management.
- iv. Compensation: Members of staff are compensated differently on different responsibilities. If a staff is denied of his/her compensation after contributing to the organisation, such staff may be dissatisfied.
- v. Disciplinary action: Staff that perceive that disciplinary actions are selective and that justice is not considered may be aggrieved and would complain.
- vi. Fines: Where fines are selective or imposed based on relationships, may contribute to the grievances within the service.
- vii. Increments: Situations in the civil service where increment are implemented based on tribe or ethnicity may lead to grievances.
- viii. Leave: Any form of leave, whether casual or annual is for every staff when the need arises but if it is seen to be selective, grievances may set in.
- ix. Nature of the job/work condition: undesirable and unsatisfactory work condition brings about disputes. Also, in situations where the superior assign schedules with less pressure to his/her ally may bring about conflict.
- x. Victimization: Some staff in the civil service are aggrieved because they are victimized by their superiors. What is due them is not given, maybe because of sex, tribe or religion. These may cause the staff to lay complaints against the service. Roles of supervisors are very essential in this regard as observed by Beardwell (2007) that the role of leadership and supervision is crucial in staff retention and that employees leave managers, not companies.
- xi. Transfer: In civil service, there are some offices that seem better in terms of fringe benefits, while others do not enjoy such. Transfers to or out of these “juicy” offices most times cause dissatisfaction and grievance in the civil service. These may happen when a particular staff is given opportunity and others do not have such opportunity.

The management of the civil service may also have its grievances against the staff, when they disobey certain led down rules and regulations. In the civil service, there is what constitutes misconduct and serious misconduct which attracts punishment after investigation and if proven, may lead to termination, retirement or outright dismissal. Most common disciplinary problems by civil servants in civil service, otherwise known as misconduct are:

- § Chronic lateness to work
- § Leaving the place of work before closing time
- § Absence from work without permission
- § Fighting on duty
- § Failure to measure up to standard that is expected
- § Engaging in malpractices
- § Refusal to proceed on transfer or accept posting.

What attracts serious punishments in the civil service, otherwise known as serious misconduct are:

- § Suppression of records
- § Bribery
- § Corruption
- § Conviction on criminal charges
- § Faults claims against government officials, etc.

Having stated what constitute misconduct in the Civil Service, which may lead to grievance on the part of the employer and what causes grievance on the part of the employee, the civil service procedure in redressing grievances on the part of the employer, when an employee violates any of the rules listed above, has it that the superior officer shall query the officer requesting him/her to submit within a specified time, such written representation as him/her may wish to make to exculpate himself/herself from disciplinary action. After considering such written representations as the officer may make within the specified time, the superior officer shall do either of the following:

- a. If the officer has exculpated him/her, he/she shall be so informed in writing and no further action shall be necessary.
- b. If the officer has not exculpated his/her self but it is considered that he/she should not be punished, an appropriate formal letter of advice shall be issued to him/her and he/she shall be required to acknowledge its receipt in writing.
- c. If the officer has not exculpated his/her self and deserves some punishment, the superior officer shall refer the case to the appropriate staff committee for determination.
- d. If the case is referred to the senior staff committee, the committee shall make its recommendations to the civil service commission.
- e. On receipt of the recommendation, the commission shall consider the case and determine appropriate punishment such as reduction in rank, withholding or deferment of increment, termination, dismissal etc. (PSR 2008).

The Nigerian Civil Service Commission is vested with the power to appoint, promote (reward) and discipline (punish) within the service. All grievances in the civil service are dealt with under guidelines without delay. All ministries/extra ministrel departments in the civil service have staff committees, which are responsible for:

- i. providing machinery for dealing with grievances of the employees;
 - ii. negotiating and settling disputes related to conditions of service between staff and government;
 - iii. ensuring maximum cooperation between staff and government;
 - iv. improving efficiency; and
 - v. promoting welfare of employees.

Procedure and what constitutes misconduct that will bring grievances are clearly documented in the Public Service Rule. This formality in procedure provides a structure within which individuals can reasonably air their grievances and avoid the likelihood of managers dodging the issue when it is difficult (Torrington, *et al*, 2005). This has made the abrupt sacking of staff in civil service, without following due process relatively impossible because in taking disciplinary action in the civil service, there is always room for appeal if the recommendations of the lower committee are not in agreement with the Public Service Rules and if the staff is not satisfied by his/her feeling of deliberate victimisation. The process of grievance redress procedure is done such that, no single individual can sack a staff. The procedure in staff discipline in Nigerian civil service makes it relatively impossible for staff to be victimised. Due to this well designed procedure, some staff have chosen to stay in the service. The procedure has given room for career

growth, and higher commitment in the service since staff cannot be sacked without due process. As stated above, every conduct that will lead to termination of appointment is clearly spelt out to guide the employee. All these provisions and guidelines make retention of staff in civil service relatively possible. Staff naturally would want to remain in the civil service because of job security and what they hope to achieve from the organisation in the near future in terms of financial security and stability. From the onset, the civil service being a well organised establishment is concerned about retaining her members of staff, hence the provision of a public service rule, which clearly state the “dos” and the “don'ts”.

Conclusion/Recommendations

It has been identified that grievance is inevitable in any organisation. For proper and effective employee/employer relationship, grievance redress procedure plays an important role. It becomes the reference point in event of conflict or perceived conflict. It is also instructive to note that every organisation is interested in retaining its productive and hardworking staff and the Nigeria civil service is not an exception, hence efforts is made toward retaining such staff. This is so because the cost of recruiting and training a new staff is higher than the cost of retaining the already productive and hardworking staff.

In the Nigerian Civil Service, most staff tend to retain their work because of a properly laid down grievance redress procedure. The processes for sacking a staff is a little complex compared to what is obtained in private organisations.

However, the study recommends that:

The grievance redress procedure in the civil service should be strictly enforced to enhance effective service delivery;

The civil service should ensure that prompt attention is given to every complaint so as to reduce friction;

The Civil Service responsibilities toward employees, such as policies on promotion, provision of amenities and good working condition, medicals and other benefits, salary increment, safety of staff among others should be adequately implemented to avoid conflict; and

Politicians should not interfere with the activities of the civil service. Every disciplinary action taken against any staff should follow the proper channel so that the confidence of staff will be strengthened.

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