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Institutional Regulation And Judicial Protection In Coaches' Employment Disputes In Nigeria: A Doctrinal Review

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ABSTRACT

This study conducts a doctrinal analysis of the institutional regulatory mechanisms and judicial protections for resolving employment disputes involving sports coaches in Nigeria. With the growing professionalization of the Nigerian sports sector, disputes relating to breach of contract, wrongful termination, unpaid remuneration, and contractual interpretation have become more common. However, the regulatory and adjudicatory framework remains fragmented. The research examines the role of national sports governing bodies, internal disciplinary structures, and arbitration mechanisms in addressing coaching disputes, while assessing the procedural safeguards and transparency within these institutions. It also analyzes the jurisdiction of the National Industrial Court of Nigeria and relevant constitutional and labour law provisions in protecting coaches' rights, including remedies such as damages and declaratory reliefs. The study finds that although a formal legal framework exists, institutional inconsistencies, procedural weaknesses, and limited awareness of judicial remedies undermine effective protection. It concludes that greater harmonization between institutional regulation and judicial oversight is necessary to ensure fairness, accountability, and access to justice in sports employment disputes.

Keywords: Institutional Regulation; Judicial Protection; Employment Disputes; Sports Coaches; Arbitration.

INTRODUCTION

The professionalization and commercialization of sports in Nigeria have significantly transformed the legal relationships between sports institutions and coaching personnel. Coaching engagements, once largely informal and administratively managed, now operate within structured contractual frameworks that frequently give rise to employment-related disputes. As financial stakes, performance expectations, and public accountability increase, disputes involving unpaid remuneration, contractual interpretation, disciplinary measures, and other employment grievances have become more pronounced.[1] These developments necessitate a careful examination of the institutional and judicial mechanisms available for the resolution of such disputes within Nigerian jurisprudence. Institutional regulation constitutes the first layer of governance in sports employment relationships. Sporting bodies, associations, and federations often establish internal rules, codes of conduct, and disciplinary mechanisms designed to regulate the conduct of coaches and other technical staff.[2] These internal frameworks typically provide procedures for

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[1]A. Emiola, *Nigerian Labour Law* (5th ed., Emiola Publishers, 2008) 1–3.

[2]M. Beloff, T. Kerr & M. Demetriou, Sports Law (Hart Publishing, 2nd ed., 2012) 189.

complaint resolution, disciplinary hearings, and appeals within the organizational hierarchy. While such mechanisms promote administrative efficiency and sectoral autonomy, concerns frequently arise regarding transparency, procedural fairness, and compliance with broader legal standards.[3] Beyond institutional structures, employment disputes involving coaches fall within the broader scope of Nigerian labour and contract law. The Labour Act provides statutory regulation of certain employment relationships, although its definition of "worker" may exclude professional or technical personnel such as coaches.[4] Consequently, many coaching disputes are resolved under common law principles governing contracts of employment. Nigerian courts have consistently affirmed that employment relationships are primarily governed by the terms agreed upon by the parties, subject to statutory modification.[5]

Judicial protection forms the second critical layer of regulation. The Constitution of the Federal Republic of Nigeria 1999 (as amended) guarantees access to courts and fair hearing in the determination of civil rights and obligations.[6] In employment matters, the National Industrial Court of Nigeria (NICN) exercises exclusive jurisdiction over labour and employment disputes pursuant to section 254C of the Constitution.[7] The establishment and constitutional empowerment of the NICN have significantly strengthened judicial oversight in employment matters, including disputes arising from contracts of service.[8] The Court is empowered to apply not only statutory labour law but also international best practices in labour relations, thereby broadening the scope of protection available to employees.[9] However, tension often arises between judicial intervention and the principle of institutional autonomy in sports governance. Nigerian courts have historically been cautious in interfering with the internal affairs of voluntary associations unless civil rights or contractual obligations are directly affected.[10] In cases where disciplinary actions or regulatory decisions impact contractual rights, the courts have intervened to safeguard procedural fairness and enforce contractual obligations.[11] The balance between respecting institutional self-regulation and ensuring constitutional compliance remains a central concern in coaches' employment disputes.

Furthermore, the increasing incorporation of arbitration clauses into coaching contracts introduces an additional layer of complexity. Arbitration, recognized under Nigerian law by the Arbitration and Mediation Act 2023,[12] is frequently adopted as a preferred mechanism for dispute resolution in sports-related contracts. While arbitration promotes expediency and confidentiality, questions arise concerning enforcement, access to judicial remedies, and alignment with statutory labour protections. Against this backdrop, this doctrinal review examines the intersection between institutional regulation and judicial protection in coaches' employment disputes in Nigeria. It interrogates the adequacy of existing regulatory structures, the scope of judicial oversight, and the legal remedies available to aggrieved coaches. By situating sports employment disputes within the broader framework of Nigerian constitutional and labour jurisprudence, this study seeks to contribute to scholarly discourse on strengthening accountability, procedural fairness, and legal certainty in the governance of Nigeria's sports sector.

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[3]Ibid., 195–198.

[4]Labour Act, Cap L1, Laws of the Federation of Nigeria 2004, s 91.

[5]*Nigerian Produce Marketing Board v. Adewunmi* (1972) 11 SC 111.

[6]Constitution of the Federal Republic of Nigeria 1999 (as amended), s 36(1).

[7]Ibid., s 254C.

[8]O. D. Amucheazi, *The National Industrial Court of Nigeria: Law, Practice and Procedure* (Princeton Publishing, 2014) 45.

[9]Constitution (n 6), s 254C(1)(f)&(h).

[10]*Abubakar v. Bebeji Oil & Allied Products Ltd* (2007) 18 NWLR (Pt. 1066) 319.

[11]*Olaniyan v. University of Lagos* (1985) 2 NWLR (Pt. 9) 599 (SC).

[12]Arbitration and Mediation Act 2023, s 1.

CONCEPTUAL CLARIFICATIONS

A doctrinal review of Institutional Regulation and Judicial Protection in Coaches' Employment Disputes in Nigeria requires conceptual clarification of the key constructs underpinning the study.

Institutional Regulation

Institutional regulation refers to the framework of rules, policies, and oversight mechanisms established by recognized sports authorities and regulatory bodies to govern employment relationships within the sports sector. In Nigeria, this includes structures operating under the supervisory authority of the Federal Ministry of Youth and Sports Development, as well as national sports federations and governing bodies. It encompasses contractual standards, disciplinary procedures, licensing requirements, and internal dispute resolution systems. Institutional regulation reflects the principle of organizational autonomy, allowing sports bodies to manage their internal affairs subject to constitutional and statutory limitations.[13]

Institutional regulation refers to the system of internal rules, policies, disciplinary codes, and administrative procedures established by organized bodies to govern conduct within their domain. In the context of sports governance, institutions such as sports federations, associations, and clubs develop regulatory instruments that define standards of conduct, contractual obligations, and disciplinary procedures applicable to coaches and other technical personnel. These regulatory frameworks are typically derived from constitutions of sporting bodies, codes of ethics, and contractual clauses incorporated into employment agreements. While such institutions operate as voluntary associations under Nigerian law, their decisions may have binding legal consequences where contractual rights are affected. Nigerian courts have recognized that although voluntary associations enjoy autonomy, their decisions may be subject to judicial scrutiny where civil rights and obligations are implicated. Thus, institutional regulation constitutes the first tier of dispute governance, emphasizing sectoral autonomy, administrative efficiency, and specialized expertise.

Judicial Protection

Judicial protection denotes the authority of courts to safeguard legal and constitutional rights arising from employment relationships. In coaches' employment disputes, it involves the interpretation and enforcement of contracts, application of labour standards, and the grant of remedies such as damages, injunctions, and declaratory reliefs. In Nigeria, labour and employment matters fall within the exclusive jurisdiction of the National Industrial Court of Nigeria.[14] Judicial protection ensures that institutional decisions comply with constitutional guarantees of fair hearing and access to justice.[15]

Judicial protection denotes the safeguarding of legal rights through access to courts and the enforcement of remedies recognized under law. The Constitution of the Federal Republic of Nigeria 1999 (as amended) guarantees the right to fair hearing in the determination of civil rights and obligations.[16] This constitutional safeguard ensures that employment disputes affecting coaches may be subjected to judicial oversight where internal mechanisms fail to meet standards of procedural fairness. The Supreme Court has affirmed that courts may intervene in the affairs of associations where the civil rights of members are infringed.[17] Judicial protection therefore functions as a corrective mechanism, ensuring that institutional decisions comply with contractual obligations and constitutional standards.

Employment Disputes

Employment disputes refer to disagreements arising from the contractual or statutory relationship between an employer and an employee. In the sports context, these commonly involve wrongful termination, unpaid salaries, breach of contractual obligations, disciplinary sanctions, and contractual interpretation.

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[13] See generally the regulatory oversight functions of the Federal Ministry of Youth and Sports Development and national sports federations under administrative law principles.

[14] Constitution of the Federal Republic of Nigeria 1999 (as amended), s 254C.

[15] Ibid, s 36(1).

[16] Constitution of the Federal Republic of Nigeria 1999 (as amended), s 36(1).

[17] Abubakar v. Bebeji Oil & Allied Products Ltd (n 4).

Such disputes may be addressed internally within sports institutions or externally through courts or arbitration mechanisms.

An employment dispute refers to any disagreement arising out of or connected with a contract of employment or conditions of service.[18] Such disputes may involve interpretation of contractual terms, non-payment of remuneration, disciplinary measures, breach of duty, or alleged violation of agreed standards. Under Nigerian law, employment relationships are primarily governed by contractual principles unless the employment enjoys statutory flavour.[19] Where statutory flavour exists, meaning the employment is protected by statute and procedural compliance becomes mandatory.[20] In the absence of statutory flavour, remedies are generally confined to damages for breach of contract.[21] In the case of sports coaches, employment disputes often arise within fixed-term contracts or performance-based arrangements, thereby raising complex questions regarding contractual interpretation and enforceability under general contract principles.

Sports Coaches

Sports coaches are professionals engaged by clubs, federations, or governmental bodies to train and manage athletes or teams. Legally, a coach may be classified either as an employee under a contract of service or as an independent contractor under a contract for service, depending on the nature of engagement.[22] This classification determines the applicability of statutory labour protections and access to judicial remedies.

Arbitration

Arbitration is an alternative dispute resolution (ADR) mechanism whereby parties agree to submit disputes to a neutral third party whose decision is binding. In sports employment contracts, arbitration clauses are frequently included to promote speedy and specialized resolution of disputes. Arbitration in Nigeria is governed by statute and is enforceable through judicial mechanisms.[23] While arbitration enhances efficiency and confidentiality, it raises concerns regarding fairness, enforceability, and potential limitations on access to courts.

Appraisal of the Institutional Framework Regulating Employment and Termination of Coaches' Contracts in Nigeria

The legal architecture of employment regulation in Nigeria does not operate in isolation of institutional mechanisms. Statutory and constitutional provisions, though foundational, derive their vitality and practical efficacy from the institutions established to implement, monitor, and enforce them. Within the context of employment and termination particularly concerning coaches and sports professionals these institutions perform crucial roles in harmonizing labour standards, mediating disputes, and safeguarding both employers' and employees' rights.

The institutional framework in Nigeria therefore reflects a network of governmental and quasi-governmental bodies whose mandates intersect across the spheres of labour administration, dispute resolution, and sports governance. Chief among these are the Sports governing bodies and federations, Contractual foundation of institutional authority, Federal Ministry of Labour and Employment, the National Industrial Court of Nigeria (NICN), the Industrial Arbitration Panel (IAP), the National Salaries, Incomes and Wages Commission, and the Nigeria Football Federation (NFF) each contributing to the regulation of employment relations from distinct legal vantage points. Against this backdrop, this section

[18]A. Emiola, Nigerian Labour Law (5th edn., Emiola Publishers, 2008) 1.
[19]Nigerian Produce Marketing Board v. Adewunmi (1972) 11 SC 111.
[20]Olaniyan v. University of Lagos (1985) 2 NWLR (Pt. 9) 599 (SC).
[21] *Ibid*
[22] See generally Shena Security Co Ltd v Afropak (Nig) Ltd & Ors (2008) 18 NWLR (Pt 1118) 77 (SC) (distinguishing contract of service from contract for service).
[23] Arbitration and Mediation Act 2023.

critically examines the functions, powers, and jurisprudential contributions of these institutions to the governance of employment and termination of coaches' contracts under Nigerian law.

Sports Governing Bodies and Federations

Sports federations, associations, and clubs serve as the primary institutional actors in the engagement and disengagement of coaches. Their constitutions, codes of conduct, and administrative guidelines typically regulate recruitment procedures, performance standards, disciplinary measures, and grounds for disengagement. These institutions derive their authority largely from contractual incorporation. Coaching contracts often make compliance with institutional rules mandatory, thereby transforming internal regulations into legally binding obligations. This system promotes sector-specific governance and recognizes the unique demands of sports administration. However, the absence of a unified regulatory code applicable across all sports federations results in fragmentation and inconsistency. Each federation or club may adopt different standards, procedures, and disciplinary mechanisms, leading to uncertainty and uneven protection of coaches' rights. Their authority is derived from their constitutions, regulations, and administrative rules. [24]These internal instruments typically prescribe procedures for recruitment, performance monitoring, discipline, and termination. Under Nigerian law, such bodies are regarded as voluntary associations. [25] Although they enjoy autonomy in managing their internal affairs, the courts have held that this autonomy is not absolute. Where decisions of an association affect civil rights or contractual interests, judicial intervention is permissible. [26] Thus, while federations regulate coaching contracts internally, their actions must comply with contractual and legal standards.

Contractual Foundation of Institutional Authority

The employment of coaches is predominantly contractual in nature. Nigerian courts have consistently affirmed that where employment is founded on contract, the rights and obligations of the parties are governed by the agreed terms except where modified by statute. [27]Coaching contracts often incorporate institutional rules by reference, thereby giving them binding force. [28] Consequently, institutional regulations derive enforceability from the contract itself. However, the absence of uniform contractual standards across federations creates fragmentation and inconsistency in practice. Furthermore, many coaching roles may fall outside the definition of "worker" under the Labour Act, which excludes persons exercising administrative, executive, or professional functions. [29]This limits statutory protection and reinforces reliance on common law contractual remedies.

Federal Ministry of Labour and Employment

The Federal Ministry of Labour and Employment stands as the principal organ of government responsible for the administration and coordination of labour and employment policies in Nigeria. Its statutory mandate derives primarily from the Labour Act,[30] complemented by the Trade Disputes Act,[31] and various subsidiary legislations that empower it to oversee industrial relations, ensure occupational safety, and promote fair employment practices. In the context of coaches' contracts and the broader sports industry, the Ministry plays an indispensable role in mediating disputes, formulating policy guidelines, and supervising employment standards to ensure compliance with national and international labour obligations. The Ministry's historical and functional evolution mirrors Nigeria's shifting approach to labour governance from colonial-era labour control mechanisms to a post-independence system rooted in social justice and industrial harmony. It comprises several departments and parastatals, notably the Department of Employment and Wages, the Department of Industrial Relations, and the Inspectorate

[24] M. Beloff, T. Kerr & M. Demetriou, Sports Law (2nd ed., Hart Publishing, 2012) 189–191.
[25]Okonkwo&Naish (n 1) 157.
[26]*Abubakar v. Bebeji* Oil & Allied Products Ltd (2007) 18 NWLR (Pt. 1066) 319.
[27]*Nigerian Produce Marketing Board v. Adewunmi* (1972) 11 SC 111.
[28]Okonkwo&Naish (n 1) 92.
[29]Labour Act, Cap L1, Laws of the Federation of Nigeria 2004, s 91.
[30] LA 1971.
[31] TDA 1976.

Department, each charged with specific administrative and regulatory responsibilities. [32] The Industrial Relations Department, in particular, is vested with the duty to promote sound labour management relations through conciliation, mediation, and advisory interventions. These functions have proven critical in resolving disputes between sports coaches and their employers especially in public institutions and football federations before such matters escalate to arbitration or litigation.

One of the Ministry's core statutory powers is derived from section 5 of the Trade Disputes Act, which authorizes the Minister of Labour to appoint conciliators to intervene in disputes where negotiation has failed. [33] In practice, this conciliatory mechanism serves as the first institutional response to conflicts arising from termination or breach of contract, including those involving professional coaches. The Ministry's intervention thus serves a dual function: it preserves industrial peace and prevents the premature resort to judicial proceedings. In National Union of Electricity Employees v. Bureau of Public Enterprises, [34]the National Industrial Court reaffirmed the centrality of ministerial conciliation in the statutory dispute-resolution chain, holding that the exhaustion of this process is a condition precedent to litigation under the Act. In addition to dispute resolution, the Ministry also supervises the registration and regulation of employment agencies and collective agreements. Section 3 of the Labour Act mandates the Ministry to maintain registers of employers and employees, thereby facilitating regulatory oversight. [35] Furthermore, through the National Directorate of Employment (NDE), a parastatal under its supervision, the Ministry promotes employment generation and skill development objectives that are increasingly relevant to the professionalization of coaching in Nigeria. The NDE's vocational and technical training programmes have been extended to the sports sector in recent years, aligning with government efforts to integrate sports into the national employment framework.[36] At the policy level, the Ministry collaborates with international bodies such as the International Labour Organization (ILO) to ensure that Nigeria's labour standards conform with global best practices. Nigeria's ratification of key ILO conventions on termination of employment, equal remuneration, and collective bargaining has been facilitated by the Ministry's technical and diplomatic engagement. [37] This reinforces the normative legitimacy of the Ministry's interventions in disputes concerning unfair termination or employment discrimination within the sports industry. Despite its broad mandate, however, the Ministry faces systemic challenges that constrain its effectiveness. These include bureaucratic inefficiency, limited enforcement capacity, and overlapping jurisdiction with other institutions such as the National Industrial Court and the Public Service Commission. Scholars have noted that while the Ministry's statutory functions are well-defined, its implementation record remains uneven, particularly in specialized sectors like sports employment where contractual disputes often fall between the cracks of traditional labour administration. [38]

Nevertheless, the Federal Ministry of Labour and Employment remains the fulcrum of Nigeria's institutional labour framework. Its functions not only embody the state's constitutional duty to promote just and humane conditions of work under Section 17(3) of the 1999 Constitution, but also operationalize the legislative intent behind the Labour Act and Trade Disputes Act. For coaches and sports professionals, the Ministry provides both preventive and remedial pathways to safeguard employment rights and promote industrial harmony within an evolving professional landscape.

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[32] Federal Ministry of Labour and Employment, "Departments and Units," available at https://labour.gov.ng/departments-units/ (accessed 17th October 2025).

[33] TDA 1976 s5.

[34] (2010) 7 NWLR (Pt. 1194) 538.

[35] LA 1971 s3.

[36] National Directorate of Employment, "About NDE," available at https://nde.gov.ng/ (accessed 17th October 2025).

[37] International Labour Organization, "Ratifications for Nigeria," ILO Normlex Database, available at https://www.ilo.org/dyn/normlex/en/ (accessed 17th October 2025).

[38] A. Fashoyin, "Labour Administration and Industrial Relations in Nigeria: Issues and Prospects" (2008) 46(1) African Journal of Labour Studies 23.

National Industrial Court of Nigeria (NICN)

The National Industrial Court of Nigeria (NICN) represents the apex judicial institution for the adjudication of employment, labour, and industrial relations disputes within the Nigerian legal system. Its constitutional and statutory foundations make it the fulcrum of labour jurisprudence, particularly concerning the interpretation and enforcement of employment rights and the legality of terminations. The NICN traces its origins to the Trade Disputes Act of 1976,[39] which established it as a specialized tribunal designed to resolve trade disputes expeditiously. However, it was the National Industrial Court Act of 2006 [40] that transformed the Court into a superior court of record, conferring on it distinct powers and judicial autonomy. The Court's constitutional recognition was further solidified by the Third Alteration Act 2010, which amended Section 254C of the 1999 Constitution to expressly vest exclusive jurisdiction in the NICN over matters relating to labour, employment, trade unions, industrial relations, and workplace discrimination.[41]

The importance of this constitutional elevation cannot be overstated. Prior to 2010, the NICN functioned as an inferior court, and its decisions lacked finality unless adopted by the regular High Courts.[4] The constitutional amendment thus marked a paradigm shift in Nigerian labour jurisprudence, affirming the NICN's authority as the ultimate judicial arbiter in employment disputes, including those involving professional coaches in both public and private sports institutions.

In practice, the NICN exercises its jurisdiction across a wide spectrum of employment-related claims ranging from wrongful termination and breach of contract to collective bargaining, redundancy, and unfair labour practices. In Adeniran v. NEPA, [42] the Court reiterated that employers must observe both contractual and statutory due process in terminating employment. Similarly, in Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) v. Schlumberger Anadrill Nigeria Ltd, [43] the NICN emphasized that the termination of an employee's contract without fair procedure or valid reason amounts to unfair labour practice, aligning Nigerian jurisprudence with International Labour Organization (ILO) standards.

The NICN's interpretive approach demonstrates a progressive, human-rights-oriented perspective. The Court has consistently held that employment contracts cannot be construed in a vacuum but must be interpreted within the broader constitutional context of fairness, dignity, and equality. In Ebere Onyekachi v. Stanbic IBTC Bank Plc, [44] the Court applied the constitutional right to fair hearing under Section 36(1) of the 1999 Constitution to invalidate a summary termination conducted without due process. This aligns with the constitutional guarantee of human dignity under Section 34(1), reinforcing that the right to work cannot be arbitrarily extinguished without regard for procedural justice. Equally significant is the NICN's emerging jurisprudence on coaches' and athletes' employment, where the Court has extended traditional labour principles to sports-related disputes. In Oshita v. Nigeria Football Federation,[45] the NICN upheld the jurisdiction to entertain claims arising from the wrongful termination of a football coach's contract, ruling that such disputes constitute employment matters within the meaning of Section 254C(1)(a). The Court held that sports professionals, though sometimes treated as independent contractors, may still fall within the protective ambit of labour law where elements of control, remuneration, and continuity of service are established.

Furthermore, the NICN's relationship with international law has become increasingly pronounced. Section 254C(1)(f) empowers the Court to apply international labour conventions, treaties, and protocols ratified by Nigeria, even where such instruments have not been domesticated by the National Assembly.

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[39] TDA 1976.
[40] NICA 2006.
[41] CFRN 1999 (As Amended)s254(c)(1).
[42] (2002)14 NWLR (Pt. 786) 30.
[43] (2008)11 NLLR (Pt. 29) 164.
[44] (2015) 59 NLLR (Pt. 207) 614.
[45] (2018) 72 NLLR (Pt. 223) 362.

[46] This progressive stance has allowed the NICN to interpret labour rights in conformity with ILO standards, particularly the Termination of Employment Convention, 1982 (No. 158), which requires that termination be based on a valid reason and be procedurally fair. This provision is especially relevant in cases involving arbitrary dismissal of coaches, where the Court frequently examines whether the employer acted in good faith and complied with due process requirements. However, despite its expansive powers, the NICN faces challenges of accessibility and enforcement. Its limited geographical spread, procedural delays, and occasional jurisdictional conflicts with appellate courts have sometimes undermined its efficiency. Nonetheless, the Court has earned a reputation for progressive jurisprudence and doctrinal consistency, qualities that have significantly contributed to the maturation of Nigeria's labour law. As noted by Adejumo, the NICN's interpretive evolution has redefined the landscape of employment law by infusing principles of equity and social justice into contractual employment relations.[47] In essence, the NICN has emerged as the institutional cornerstone of Nigerian labour adjudication. It functions not merely as a court of law but as a court of social policy balancing the competing interests of employers and employees while promoting justice, fairness, and industrial harmony. Its role in protecting coaches and other sports professionals from arbitrary termination underscores the dynamic intersection of constitutional, statutory, and international norms within the Nigerian jurisprudence of employment law.

Industrial Arbitration Panel (IAP)

The Industrial Arbitration Panel (IAP) constitutes a pivotal institution within Nigeria's labour dispute resolution architecture. Established under Part II of the Trade Disputes Act, [48] the Panel was conceived as an intermediate mechanism for the resolution of industrial disputes that fail to yield to conciliation. Functioning under the supervision of the Minister of Labour and Employment, the IAP embodies Nigeria's commitment to the principle of compulsory arbitration, which aims to secure industrial peace and stability through quasi-judicial intervention. Section 9 of the Trade Disputes Act empowers the Minister to refer any unresolved dispute to the IAP for arbitration. [49] The Panel's composition, as prescribed by Section 10, consists of a Chairman and other members appointed by the Minister, representing both employers' and employees' interests. [50] This tripartite structure ensures that the IAP operates within a balanced institutional framework that reflects the participatory ethos of modern labour relations. In essence, the IAP serves as the bridge between ministerial conciliation and judicial adjudication by the National Industrial Court of Nigeria (NICN).

In practice, the IAP's mandate encompasses the determination of disputes relating to dismissal, redundancy, unfair labour practices, and interpretation of collective agreements. Its proceedings, though less formal than those of regular courts, are conducted in accordance with the principles of natural justice. Awards rendered by the IAP are binding upon publication by the Minister in the Federal Gazette, unless challenged before the NICN. [51] This framework ensures that industrial disputes, including those involving coaches and sports administrators, can be resolved efficiently without resort to protracted litigation.

A leading judicial pronouncement affirming the IAP's statutory role is found in Nigeria Employers' Consultative Association v. National Union of Petroleum and Natural Gas Workers (NUPENG),[52] where the Court of Appeal held that the IAP's award, once published, attains legal force equivalent to that of a judgment of the High Court, subject only to appeal or review by the NICN. Similarly, in U.B.N. Plc v. Edet, [53]the National Industrial Court reaffirmed that parties aggrieved by an IAP award must first seek

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[46] CFRN 1999(As Amended)s254(c)(1)(f).

[47] B. Adejumo, "Reassessing the Role of the National Industrial Court in the Development of Labour Jurisprudence in Nigeria" (2020) 8(1) Nigerian Journal of Labour Law and Industrial Relations 49.

[48] TDA 1976 part II.

[49] Ibid s9.

[50] Ibid s10.

[51] Ibid s12,13.

[52] (2007) 11 NWLR (Pt. 1045) 122.

[53] (1993) 4 NWLR (Pt. 287) 288.

review through the appropriate ministerial or judicial channel, thereby reinforcing the procedural hierarchy of labour dispute resolution. For coaches' contracts and sports-related employment, the IAP plays an increasingly relevant role in mediating institutional disputes between sporting bodies such as the Nigeria Football Federation (NFF) or state sports commissions and coaching staff. These disputes, often contractual in nature, typically involve issues of wrongful termination, unpaid entitlements, or breach of collective agreements. The IAP's flexibility allows it to apply equitable principles and industry norms that might be too specialized or informal for conventional courts.

From a policy standpoint, the IAP exemplifies Nigeria's hybrid model of labour dispute management a blend of administrative conciliation and quasi-judicial arbitration designed to minimize strikes and lockouts. [54] The International Labour Organization (ILO) has commended Nigeria's retention of arbitration-based mechanisms as consistent with international best practices under Convention No. 151 on Labour Relations in the Public Service. [55]

Nevertheless, the IAP has not been immune to criticism. Scholars and practitioners have highlighted persistent challenges, including delays in the constitution of panels, ministerial interference, and occasional duplication of jurisdiction with the NICN. [56] These institutional inefficiencies sometimes erode public confidence in the IAP's neutrality and timeliness. Yet, despite these shortcomings, the IAP remains indispensable as a specialized forum that blends legal formality with pragmatic industrial relations experience.

In summation, the Industrial Arbitration Panel serves as a crucial intermediary in Nigeria's employment dispute resolution chain. Its statutory powers to arbitrate, coupled with its tripartite composition and flexibility, make it particularly suited to addressing employment and termination issues in niche sectors such as sports. By providing a quasi-judicial platform for coaches and federations to resolve contractual disagreements, the IAP reinforces the broader constitutional and statutory objectives of fairness, industrial peace, and social justice in Nigeria's labour system.

National Salaries, Incomes and Wages Commission (NSIWC)

The National Salaries, Incomes and Wages Commission (NSIWC) occupies a fundamental place in Nigeria's institutional framework for labour regulation, particularly in relation to the determination, harmonization, and review of remuneration within the public and private sectors. Established by the National Salaries, Incomes and Wages Commission Act, [57] the Commission was created to address persistent inequities in salary structures and to promote fair and sustainable wage policies. The Commission derives its legal personality and powers from Section 2 of the Act, which establishes it as a corporate body with perpetual succession and the capacity to sue and be sued in its own name. [58] Its functions, enumerated in Section 3 of the Act, include the responsibility to:

a) advise the Federal Government on national income policy;
b) recommend policies relating to salaries and wages in both the public and private sectors;
c) ensure consistency in remuneration and conditions of service; and
d) maintain surveillance over income trends to avoid wage-induced inflation. [59]

From a jurisprudential perspective, the NSIWC represents Nigeria's institutional response to the constitutional mandate enshrined under Section 17(3)(e) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), which obliges the State to ensure "that there is equal pay for equal work without discrimination on account of sex, or any other ground." [60] The Commission thereby

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[54] O. V. C. Okene, Labour Law in Nigeria: Law, Practice and Procedure (Lagos: Malthouse Press, 2012) 265.

[55] ILO, "Convention No. 151: Labour Relations (Public Service) Convention, 1978," available at https://www.ilo.org (accessed 28 October 2025).

[56] M. A. Adeogun, "Institutional Challenges in Labour Dispute Resolution in Nigeria" (2018).

[57] NSIWCA 1993.

[58] *Ibid* s2.

[59] *Ibid* s3.

[60] CFRN 1999(As Amended) s17(3)(e).

operationalizes the constitutional vision of social justice and economic equity by translating it into practical wage governance.

The Commission's role extends to the sports industry, particularly in the regulation and standardization of remuneration for coaches, athletes, and sports administrators employed within public sports institutions. For instance, coaches employed by the Federal Ministry of Sports Development, state sports councils, or national federations such as the Nigeria Football Federation (NFF) often fall within the wage classification systems supervised by the NSIWC. This ensures parity, prevents exploitation, and aligns sports remuneration with broader national wage policies. [61] In addition to domestic legislative authority, the NSIWC's work aligns with Nigeria's international obligations under the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100), [62] which requires member states to ensure equal remuneration for men and women for work of equal value. The Commission's harmonization initiatives are therefore not merely administrative, but reflective of Nigeria's commitment to global labour standards.

Judicial pronouncements have also acknowledged the Commission's regulatory authority. In Adebayo v. Chief of Army Staff, [63] the Court of Appeal emphasized that remuneration and allowances payable to public officers must conform with structures approved by competent statutory authorities, such as the NSIWC. Similarly, in Attorney-General of the Federation v. Nigeria Labour Congress, [64] the Federal High Court affirmed that unilateral wage adjustments by trade unions or employers without reference to the NSIWC contravene statutory wage policy and undermine national income stability. However, despite its laudable statutory objectives, the Commission faces several structural and operational challenges. These include bureaucratic inertia, political interference, and inadequate coordination with sectoral ministries. [65] The absence of robust enforcement mechanisms has also limited the NSIWC's ability to ensure full compliance by private sector employers, including those in professional sports leagues and clubs. Scholars have argued that the Commission's recommendations, though persuasive, often lack coercive effect unless formally adopted by the Federal Executive Council or incorporated into specific regulations. [66] Nevertheless, the NSIWC remains central to the legal framework governing employment and remuneration in Nigeria. Its role in ensuring transparency and equity in wage determination contributes to industrial peace and economic stability core objectives that underpin Nigeria's broader labour policy architecture. For sports and coaching employment, the NSIWC ensures that remuneration policies are grounded in fairness, parity, and fiscal responsibility, thereby reinforcing the link between social justice and professional sports governance.

In summary, the NSIWC not only acts as a regulator of income policy but also as a safeguard for equitable treatment across employment sectors. Its oversight of wage structures for public-sector coaches and sports administrators situates it as a vital instrument of socio-economic justice within Nigeria's sports labour ecosystem.

National Sports Commission (NSC)

The National Sports Commission (NSC) historically stood as the apex statutory body responsible for the coordination, regulation, and promotion of sports development in Nigeria. Its establishment reflected a deliberate governmental effort to institutionalize sports administration and to provide a structured framework for the management of athletes, coaches, and sporting federations. The NSC, originally constituted under Decree No. 34 of 1971, was later reconstituted under Decree No. 12 of 1991, which

[61] O. V. C. Okene, Labour Law in Nigeria: Law, Practice and Procedure (Lagos: Malthouse Press, 2012) 307–309.
[62] ILO,Equal Remuneration Convention, 1951 (No. 100), 1951.
[63] (2012) 17 NWLR (Pt. 1330) .
[64] (Unreported, Suit No. FHC/ABJ/CS/278/2004)2005.
[65] B. U. Ekaette, *"Wage Administration and Public Sector Reform in Nigeria"* (2017).
[66] A. F. Odulaja, "*Institutional Challenges in the Enforcement of Wage Policies in Nigeria"* (2020) 8(3) Journal of Contemporary African Law and Policy 102.

consolidated its powers and responsibilities before being subsumed into the Federal Ministry of Sports and Youth Development in 2015.

The statutory functions of the NSC were wide-ranging and foundational to the governance of Nigerian sports. Section 3 of the National Sports Commission Decree No. 12 of 1991 mandated the Commission to:

a) develop and implement policies for the promotion and development of sports in Nigeria;
b) encourage the training of coaches, referees, and other technical officials;
c) liaise with international sports bodies and coordinate Nigeria's participation in international competitions; and
d) regulate the employment and welfare of coaches and athletes under its jurisdiction. [67]

Thus, the Commission served not only as a policy organ but also as a regulatory body for employment and termination in the sports sector. Under its supervision, contracts of employment for national coaches were standardized, and guidelines were introduced to regulate tenure, remuneration, and termination procedures. [68] These measures were aimed at professionalizing sports administration and insulating coaches from arbitrary dismissal a recurrent issue in Nigerian sports management. The jurisprudence underpinning the NSC's regulatory powers was rooted in both labour law principles and administrative law doctrines. The employment relationship between the NSC (or its successor institutions) and coaches was recognized as a master–servant relationship, governed by the general provisions of the Labour Act, [69] but modified by statutory instruments and circulars issued by the Commission. Courts have consistently held that such employment, being statutory in nature, cannot be terminated except in accordance with the conditions prescribed by the enabling statute or regulations made thereunder.[70] In Federal Civil Service Commission v. Laoye, [71] the Supreme Court affirmed that where an employment has statutory flavour, the employer must strictly comply with statutory provisions governing dismissal or termination.

This principle applies equally to coaches employed under the NSC, particularly where their appointment is made pursuant to statutory instruments or through the Federal Civil Service structure. The case of Odey v. Federal Ministry of Sports, [72] illustrates this, where the National Industrial Court emphasized that a coach's appointment, being derived from statutory authority, could not be terminated without adherence to due process and established disciplinary procedure. Beyond judicial interpretation, the NSC also embodied Nigeria's commitment to the international sports regulatory framework. Its mandate corresponded with Article 7 of the UNESCO International Charter of Physical Education, Physical Activity and Sport (2015), which enjoins state parties to ensure that sports professionals, including coaches, enjoy fair employment conditions and social protection. [73] The Commission's policy initiatives, including the National Sports Policy of 2009, [74] were direct expressions of this commitment, seeking to balance professional autonomy with state oversight. Nonetheless, the NSC faced enduring institutional challenges, including funding shortfalls, bureaucratic overlap, and inconsistent policy implementation. Its eventual absorption into the Ministry of Sports and Youth Development was intended to streamline administrative processes, yet it arguably weakened the autonomy previously enjoyed by the Commission. [75] Critics contend that this reabsorption has resulted in the politicization of appointments and a lack of continuity in policy execution, particularly regarding the recruitment and termination of coaches. [76]

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[67] NSCD 1991 s3.
[68] A. N. Onifade, "Institutional Frameworks and the Development of Sports in Nigeria" (2016) .
[69] LA 1971 s9(7).
[70] *Olaniyan v. University of Lagos* (1985) 2 NWLR (Pt. 9) 599.
[71] (1989) 2 NWLR (Pt. 106) 652.
[72] (Unreported, NICN/ABJ/112/2016)2018.
[73] UNESCO, International Charter of Physical Education, Physical Activity and Sport, 2015.
[74] National Sports Policy of Nigeria (2009).
[75] C. M. Iheriohanma, *"Public Policy and Institutional Decay in Nigeria's Sports Sector"* (2020) 5(1) African Journal of Sports Management and Policy 59, 66.
[76] *Ibid*

Despite its dissolution, the legacy of the NSC endures in Nigeria's sports governance structure. The regulatory models it established continue to inform the operations of successor agencies such as the Federal Ministry of Sports Development and the Nigeria Football Federation (NFF). Its statutory framework remains instructive for current reforms aimed at codifying sports employment law and establishing standardized conditions of service for coaches and technical staff.

In conclusion, the National Sports Commission represents a pivotal chapter in Nigeria's legal and institutional development of sports. Its regulatory approach to employment and termination of coaches' contracts reflects a broader effort to align national sports governance with both constitutional principles of fairness and international labour standards. The NSC thus occupies a unique place in Nigerian jurisprudence as both a pioneer and a precursor to modern sports law and labour regulation in the country.

Strengths of the Institutional Framework

1. Autonomy and Expertise – Sports bodies possess specialized knowledge necessary for evaluating performance-related matters. Sports federations and associations derive autonomy from their status as voluntary associations. Courts generally respect their internal governance except where civil rights are affected. [77]This principle has been affirmed in judicial authorities recognizing limited judicial interference in domestic affairs of associations.[78]
2. Contractual Flexibility – Fixed-term and performance-based contracts reflect the dynamic nature of sports employment. Coaching employment is largely governed by contract, allowing flexibility in drafting fixed-term and performance-based agreements.[79] The Supreme Court has held that parties are bound by the terms of their contract except where statutory provisions apply.[80]
3. Availability of ADR Mechanisms – Arbitration promotes expeditious resolution of disputes. Arbitration clauses in coaching contracts are enforceable under Nigerian law.[81] Courts are required to stay proceedings where parties have agreed to arbitration. [82]Arbitral awards are also enforceable subject to limited judicial review.[83]

Weaknesses and Structural Gaps

1. Fragmentation and Lack of Uniform Standards – No centralized statute specifically regulates coaching employment nationwide. Nigeria lacks a specialized statute regulating sports employment generally. Labour regulation is primarily governed by the Labour Act, [84]which does not specifically address sports coaching employment. Scholars have noted the fragmented nature of Nigerian labour regulation where contractual principles dominate outside statutory flavour employment.[85]
2. Limited Statutory Protection – Many coaches fall outside the Labour Act's definition of "worker." The Labour Act excludes persons exercising administrative, executive, or professional functions from the statutory definition of "worker." [86]This exclusion may limit the statutory protections available to many coaches, especially at elite or managerial levels.
3. Procedural Inconsistency – Internal disciplinary procedures vary across institutions. Section 36(1) of the Constitution guarantees fair hearing in the determination of civil rights and obligations. [87]Administrative or disciplinary bodies must comply with principles of natural justice, as emphasized

[77]C.O. Okonkwo & M.E. Naish, *Introduction to Nigerian Law* (2nd ed., Sweet & Maxwell 2007) 157.
[78]*Abubakar v. Bebeji Oil & Allied Products Ltd* (2007) 18 NWLR (Pt. 1066) 319.
[79]A. Emiola, *Nigerian Labour Law* (5th edn., Emiola Publishers 2008) 52.
[80]*Nigerian Produce Marketing Board v. Adewunmi* (1972) 11 SC 111.
[81]Arbitration and Mediation Act 2023, s 1.
[82] *Ibid.,* s5.
[83] *Ibid.,* ss 55-56.
[84]Labour Act, Cap L1, Laws of the Federation of Nigeria 2004.
[85]K. Smith & D. Imosemi, *Labour Law in Nigeria* (Princeton Publishing 2010) 84
[86]Labour Act 2004, s 91.
[87]Constitution of the Federal Republic of Nigeria 1999 (as amended), s 36(1).

by the Supreme Court. [88] Failure to observe these safeguards exposes institutional decisions to judicial review.

4. Overreliance on Damages as Remedy – Common law principles limit relief mainly to monetary compensation. In ordinary master–servant relationships, wrongful termination typically results only in damages rather than reinstatement.[89] The Supreme Court reaffirmed that specific performance is rarely granted in private employment contracts lacking statutory flavour.[90]

SUMMARY OF FINDINGS

1. **Weak Institutional Coordination and Enforcement Mechanisms:** Institutions such as the National Salaries, Incomes and Wages Commission (NSIWC) and the National Sports Commission (NSC) lack the autonomy and enforcement capacity to ensure compliance with established employment standards. Their roles, though significant, are often undermined by bureaucratic interference and poor inter-agency collaboration, leading to inconsistent implementation of wage and disciplinary policies affecting coaches.
2. **Judicial Intervention and the Evolution of Sports Jurisprudence:** The judiciary, particularly through the National Industrial Court of Nigeria (NICN), has progressively developed jurisprudence around employment disputes involving coaches and sports professionals. However, judicial decisions remain reactive rather than preventive, largely due to the absence of a comprehensive legislative framework specifically designed to address sports labour relations.
3. **Predominance of Internal Regulatory Mechanisms:** Sports federations, associations, and clubs in Nigeria operate through internal constitutions, codes of conduct, and disciplinary frameworks that regulate the conduct and engagement of coaches. These internal mechanisms typically serve as the first point of dispute resolution before matters escalate to external adjudicatory bodies. Institutional autonomy is therefore a defining feature of sports governance in Nigeria.
4. **Contract-Based Regulatory Authority:** The authority of sports institutions over coaches is largely derived from contractual agreements. Coaching contracts often incorporate institutional rules either expressly or by reference, thereby giving such rules binding legal effect. As a result, compliance with institutional regulations becomes a contractual obligation enforceable under general principles of contract law.
5. **Procedural Deficiencies and Transparency Concerns:** The study found that while many institutions provide disciplinary or complaint procedures, these mechanisms frequently lack clearly defined timelines, standardized hearing procedures, and adequate safeguards for impartiality. In some cases, disciplinary panels are constituted without sufficient separation between investigative and adjudicative functions, raising concerns about fairness and due process.
6. **Limited Awareness and Accessibility:** Many coaches, particularly at grassroots and semi-professional levels, demonstrate limited awareness of available internal grievance procedures. Additionally, institutional processes are sometimes informal, poorly documented, or inconsistently applied, which weakens their credibility and effectiveness as reliable dispute resolution mechanisms.

CONCLUSION

This study has examined the structure and effectiveness of institutional regulation in resolving employment disputes involving sports coaches in Nigeria. The analysis reveals that institutional mechanisms established through constitutions of sports federations, club regulations, disciplinary codes, and contractual provisions—constitute the primary framework for managing disputes at the initial stage. These internal processes are designed to promote sectoral autonomy, administrative efficiency, and

[88] *Garba v. University of Maiduguri* (1986) 1 NWLR (Pt. 18) 550.
[89] *Olaniyan v. University of Lagos* (1985) 2 NWLR (Pt. 9) 599 (SC).
[90] *Shena Security Co. Ltd v. Afropak (Nig.)* Ltd (2008) 18 NWLR (Pt. 1118) 77 (SC).

specialized understanding of the unique dynamics of sports governance. However, while institutional regulation serves as an important first line of dispute resolution, its effectiveness is significantly constrained by structural and procedural shortcomings. Many regulatory frameworks lack standardized procedures, clearly articulated timelines, and safeguards to guarantee impartiality and fairness. The blending of administrative and adjudicatory roles within some institutions creates perceptions of bias and undermines confidence in internal processes. Furthermore, inconsistent documentation and informal grievance procedures reduce transparency and legal certainty, particularly at grassroots and semi-professional levels. The study also demonstrates that the regulatory authority of sports institutions over coaches is largely contractual in nature. Institutional rules derive binding force through incorporation into coaching contracts, thereby transforming internal regulations into enforceable legal obligations. While this contractual basis strengthens institutional control, it also exposes regulatory decisions to scrutiny where contractual rights are affected. Consequently, institutional autonomy is neither absolute nor immune from external oversight. Another significant finding is the growing reliance on arbitration clauses in coaching contracts. Although arbitration promotes confidentiality and technical expertise in dispute resolution, it may inadvertently limit broader access to judicial protection if procedural safeguards are inadequate or if parties possess unequal bargaining power. This development underscores the need to ensure that arbitration mechanisms align with fundamental principles of fairness and due process.

Overall, the research concludes that institutional regulation remains a necessary and foundational component of sports governance in Nigeria. However, for it to function effectively and equitably, reforms are essential. There is a need for clearer procedural standards, greater transparency, improved record-keeping, and enhanced awareness among coaches regarding available remedies. Establishing uniform minimum guidelines across sports federations would also promote consistency and predictability in dispute resolution. In balancing institutional autonomy with accountability, Nigeria's sports governance framework must evolve toward a more structured and rights-conscious model. Strengthening institutional processes while ensuring compatibility with constitutional and contractual principles will not only protect coaches' employment rights but also enhance professionalism, credibility, and stability within the Nigerian sports sector.

RECOMMENDATIONS

In light of the doctrinal analysis of institutional regulation and judicial protection in coaches' employment and termination disputes, the following recommendations are proposed to strengthen fairness, transparency, and legal certainty within Nigeria's sports sector:

1. **Development of Standardized Contractual Guidelines:** There is an urgent need for standardized model contracts for coaches across sports federations in Nigeria. These templates should clearly define Duration of employment, Performance evaluation standards, Grounds for termination, Notice requirements and Dispute resolution procedures. Standardization will reduce ambiguity, prevent exploitative clauses, and promote consistency across institutions.
2. **Establishment of Uniform Disciplinary Procedures:** Sports institutions should adopt uniform disciplinary frameworks that Clearly outline investigative and adjudicative procedures, Separate investigative bodies from decision-making panels, Provide written notice of allegations, Guarantee opportunity to respond and Ensure impartiality of panel members. Codifying these safeguards will strengthen compliance with constitutional principles of fair hearing.
3. **Strengthening Procedural Transparency and Record-Keeping:** All disciplinary and termination proceedings should be properly documented, with written decisions stating reasons. This enhances accountability and facilitates judicial review where necessary.
4. **Strengthening Access to the National Industrial Court:** Given the exclusive jurisdiction of the National Industrial Court of Nigeria (NICN) over employment matters, steps should be taken to Simplify filing procedures, Encourage speedy resolution of sports-related employment cases and Promote awareness of NICN jurisdiction among coaches. This will enhance effective judicial protection.

5. **Encouraging Judicial Development of Sports Employment Jurisprudence:** The NICN should continue developing jurisprudence tailored to the peculiar nature of sports employment, including Recognition of fixed-term contracts in sports, Balancing performance-based employment with fairness and Considering international best practices where appropriate. This will create predictable and coherent legal standards.
6. **Legislative Recognition of Sports Coaching as a Distinct Employment Category:** The National Assembly should consider legislative reforms recognizing sports coaching as a specialized professional category under labour law. This would Clarify employment status, Define minimum employment standards and Strengthen statutory protection in termination matters