

LABOUR LAW

LABOUR LAW – CRIMINAL OFFENCES – Where the dismissal of a servant is based on a crime, the offences must be tried before the dismissal of the employee – GARBA V UNIMAID 1986 1 NWLR Pt. 9 599; OLAREWAJU V AFRI BANK NIG PLC 2001 90 LRCN.

LABOUR LAW – GROSS MISCONDUCT – Where an employee has been found guilty by a disciplinary committee for gross misconduct, the master has a choice either to prosecute the erring servant or dismiss him summarily. Prosecution is not a *sine qua non* for summary dismissal – YUSUF V UNION BANK OF NIG 1996 39 LRCN 1139; 1996 DELTA STATE LAW REPORT Pt. 1 31; OLAREWAJU V AFRI BANK PLC supra.

LABOUR LAW – TERMINATION WITHOUT REASONS – COURT CANNOT ORDER SPECIFIC PERFORMANCE OF CONTRACT OF SERVICE – OLAREWAJU V AFRIBANK supra.

LABOUR LAW – PUBLIC OFFICERS (SPECIAL PROVISIONS) ACT CAP 381 LFN 1990 – Where the initial act of retirement is unlawful and void, a valid act cannot arise there from – MIL ADMIN BENUE STATE V ULEGEDE 2001 91 LRCN 3044.

LABOUR LAW – PLAINTIFF ABANDONED WORK FOR EIGHT YEARS NOT ENTITLED TO HEARING BEFORE TERMINATION – Plaintiff was lucky to be terminated, he should have been dismissed – OBO V COMM OF EDUCATION, BENDEL STATE 2001 83 LRCN 210

LABOUR LAW – TERMINATION OF EMPLOYMENT – ONUS OF PLAINTIFF – OKOMU OIL PALM CO V ISERHIENRHIEN 2001 85 LRCN 873; KATTO V C.B.N 1999 69 LRCN 1119; 1999 6 NWLR Pt. 607, 390 at 405. AMODU V AMODE 1990 5 NWLR Pt. 150, 356 at 370.

LABOUR LAW – RIGHT TO HIRE & FIRE – ONUS ON PARTY – It is the duty of the Plaintiff to prove that the termination was wrongful – KATTO V C.B.N 1999 69 LRCN 1119; 1999 6 NWLR Pt. 607 390 at 405; AMODU V AMODE 1990 5 NWLR Pt. 150 356 at 370; OKOMU OIL PALM Co. V ISERHIENRHIEN 2001 85 LRCN 873.