

**MEMORANDUM OF ACTION AT THE END OF THE CONCILIATION MEETING BETWEEN REPRESENTATIVES OF
FEDERAL GOVERNMENT/ACADEMIC STAFF UNION OF UNIVERSITIES HELD ON SEPTEMBER 18, 2017, AT
THE CONFERENCE ROOM OF THE HONOURABLE MINISTER OF LABOUR & EMPLOYMENT, ABUJA**

A Conciliation Meeting was held at the instance of the Honourable Minister of Labour and Employment with the Leadership of the Academic Staff Union of Universities (ASUU) with the participation of representatives of the Federal Ministry of Education (FME), Federal Ministry of Finance (FMOF), Budget Office of the Federation (BOF), National Salaries, Incomes and Wages Commission (NSIWC, and Office of the Accountant General of the Federation (OAGF). The President of the Nigeria Labour Congress (NLC) also participated at the meeting.

In view of the ongoing strike by members of the Academic Staff Union of Universities (ASUU), the Honourable Minister of Labour and Employment (HMLE), as Conciliator in the trade dispute, held Conciliation Meetings on August 16, September 7- 8, and 15, 2017, with the leadership of ASUU to address and resolve the issues in dispute. These issues emanated from the 2009 FGN/ASUU Agreement and the subsequent 2013 Memorandum of Understanding (MoU).

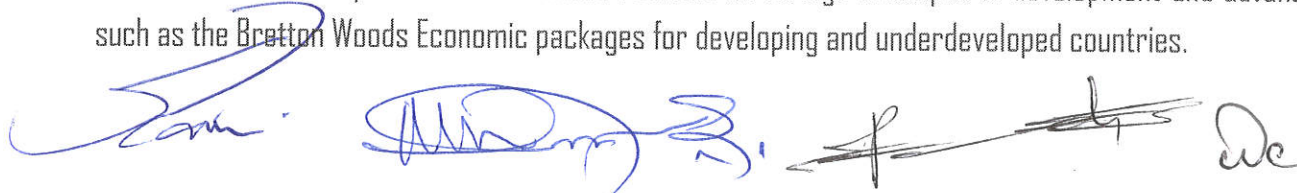
The 7 – point issues in dispute were as follows:

1. Funding for Revitalisation of Public Universities
2. Earned Academic Allowances
3. Staff Schools
4. NUPEMCO and Pension Matters
5. Salary Shortfalls
6. TSA Exemption, and
7. State Universities

The two letters by the Honourable Minister of Education (HME) Ref. No. HME/FME/F/VOL.II/45 dated August 16, 2017, and Ref. No. HME/FME/F/VOL.II/46 dated August 30, 2017, respectively as well as ASUU's letter dated August 28, 2017, were adopted as working documents for these meetings.

1) Funding For The Revitalisation of Public Universities

Based on the priority and concern ASUU put on the issue of Funding for Revitalisation of Public Universities, extensive deliberations were held to address and resolve the issue. The four sub-point demands by ASUU in this issue of concern were considered and the Government indicated its inability to pay the second tranche of the sum of N220 Billion per annum divided into quarterly payments. It was suggested that negotiations should rather commence to address the problem. ASUU laid emphasis on the need to attach importance to education in national policies and minimize reliance on foreign concepts of development and advancement such as the Bretton Woods Economic packages for developing and underdeveloped countries.



After much deliberations by the meeting and consultations by the Government team, it was agreed that a total sum of ₦20 Billion shall be released by the Honourable Minister of Finance (HMoF) made up of ₦10 Billion in September 2017 and another ₦10 Billion in October 2017. This is as a sign of Government's commitment to the FGN/ASUU MoU 2013 in view of paucity of funds experienced by the Government and without prejudice to the Babalakin Committee on Renegotiation of the 2009 FGN/ASUU Agreement.

Accordingly, a 7 - Man Committee was constituted to handle the issue of identifying revenue streams/sources and innovative budgetary strategy for funding the balance of the revitalization fund of the Public Universities as contained in the 2013 MoU. It was noted that ASUU had sent in the list of 3 nominees, and that the HMoE has finalised the ToR and the list of Government members as well as appoint the Chairman for the Committee.

The Committee is to complete its assignment within four (4) weeks from the date of inauguration.

2) Earned Academic Allowances (EAA)

The meeting was informed that Authority to Incur Expenditure (AIE) of the sum of N23 Billion had been released to the Office of the Accountant General of the Federation (DAGF). *Source of fund for this disbursement shall not be from the Needs Assessment Fund.*

Payment would be made to affected Institutions for the affected academic staff, and the forensic audit that has commenced would be conducted within a timeframe not exceeding 6 months. Further disbursement would be made after the completion of the forensic audit.

*In this regard, a letter accompanied with a Template would be issued by the Permanent Secretary of the Federal Ministry of Education on **Monday, September 18, 2017**, to the Universities requesting them to submit full particulars of individual beneficiaries (academic staff) and allowances due to each person through the FMoE/NUC to the DAGF for the remittance of their Earned Academic Allowances. Submissions by the Universities are expected on or before **Friday September 22, 2017**.*

Meanwhile, it was agreed that payment of the EAA shall be mainstreamed into annual budgets, starting from 2018.

3) Staff Schools

It was resolved that within 2 - 4 weeks, the National Salaries, Income and Wages Commission (NSIWC) liaising with the FMoE would issue a circular on the implementation of the National Industrial Court of Nigeria (NICN) Judgment on the *administration and funding* of University Primary Schools. This is with a view to vacating an earlier circular Ref. No. SWC/S/D4/S.446/T2/88 dated August 28, 2014 on the same subject.

Meanwhile, the National Universities Commission has conveyed the NICN Court Judgment to all universities and Institutions as at Monday, September 11, 2017, as per the earlier terms of settlement reached at the end of the conciliation meeting held on September 7, 2017.

4) NUPEMCO and Pension Matters

ASUU is required to submit relevant documents to PENCOM for the registration of NUPEMCO. It was resolved that the registration would be done within two days of submission of the appropriately completed forms and documents to PENCOM. On the alterations made to the Draft Guidelines on Retirement of Professors, it was noted that ASUU has submitted its proposals as was agreed at the last meeting and *FMoE gave the assurance that the proposed changes in the Guidelines (documents) would be transmitted to PENCOM by Monday, September 18, 2017.*

Furthermore, FMoE would urge PENCOM to expedite actions to finalise the Guidelines on the retirement of Professors.

FMoE shall update ASUU in respect of the Guidelines within four (4) weeks.

5) Salary Shortfalls

The meeting noted ASUU's expectations to receive the arrears of the salary shortfalls in August and September, 2017. ASUU was assured that AIE containing the list of Institutions which covered Universities that had been PICA verified was released to the DAGF, and that payment had commenced on September 6, 2017 as promised. An AIE containing a list of 3 universities was tendered to ASUU at the meeting. The lists of beneficiaries have been submitted to the DAGF. A copy of the list is to be forwarded to the HML&E and the HMoE. ASUU also requested that the remaining Mandate/AIE be made available. HMoE and DAGF are expected to provide more Mandate/AIE. Ten (10) Universities have been PICA verified but three (3) out of the 10 Universities have peculiar problems as identified by an Audit Query in the Accountant General of the Federation's Office. It is expected that this query would soon be cleared by affected Universities. It was agreed that there will be no more salary shortfalls and outstanding arrears will have been liquidated **by the end of October 2017.**

The FMoE would, within one week, write to the Universities that have not been verified by the Presidential Initiative on Continuous Audit (PICA) to urgently apply in respect of their shortfalls to initiate the verification process and enable payments to be made.

On Check -Off dues, the Permanent Secretary, FMoE shall obtain from the DAGF Mandates reflecting the deductions made from the payments, from the DAGF. A sample of that of Health Sector was presented at the meeting.



6) TSA Exemptions

In recognition of the peculiarities of some of the sources of revenues for universities and conditions often attached to deploying such revenues, the Central Bank of Nigeria (CBN) has accepted to create separate, interest-yielding accounts at Treasury Bill rates for university endowment funds, research grants, universities' stabilization fund and such other similar funds.

Furthermore, the HMoE shall within two (2) week, write to the Governor of CBN and his response confirming the acceptance of same would be made available to ASUU. *The letter by the FMoE to Governor of CBN would be written before Friday, September 25, 2017.* The HML&E also promised to follow up on the matter with the Governor of CBN.

7) State Universities

Recognizing the concurrence of education in the Constitution of the Federal Republic of Nigeria; and bearing in mind the utmost need to uphold the quality of education in the country, the FMoE will make sure that the NUC carries out its regulatory functions. Also, the HMoE will present a Memo to National Economic Council (NEC) and National Council of States to draw the attention of the State Governors to the problem in the Education Sector regarding the proliferation of Tertiary Institutions especially universities without adequately funding the existing ones.

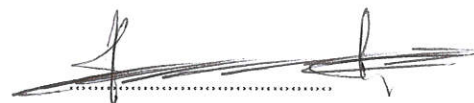
ASUU is to submit a Position Paper on their findings on these issues within one (1) week to FMoE and FML&E.

Based on these conclusions, ASUU Leadership will consult with its Organs with a view to suspending the ongoing strike.



7/8/09/17

Prof. Biodun Ogunyemi
President, ASUU



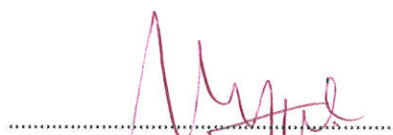
Comrade Ayuba Wabba
President, NLC



Sonny Echono
Perm. Sec. FMoE



Bolaji Adebisi,
Perm. Sec FML&E



Senator (Dr.) Chris Nwabueze Ngige, *DDN; MD*
Honourable Minister, Federal Ministry of Labour & Employment

18/09/17

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