

MEMORANDUM OF ACTION REACHED AT THE CONCILIATION MEETING BETWEEN THE REPRESENTATIVES OF THE FEDERAL GOVERNMENT OF NIGERIA AND LEADERSHIP OF THE ACADEMIC STAFF UNION OF UNIVERSITIES (ASUU) HELD ON DECEMBER 22, 2020 AT THE INSTANCE OF THE HONOURABLE MINISTER OF LABOUR AND EMPLOYMENT IN THE CONFERENCE ROOM OF THE HONOURABLE MINISTER, FEDERAL MINISTRY OF LABOUR AND EMPLOYMENT, ABUJA

Considering the importance and relevance of the education sector in enhancing the sustainable development and growth of the various socio-economic institutions of the nation, the representatives of the Federal Government (FG) engaged the leadership of the Academic Staff Union of Universities (ASUU) in a series of conciliation meetings that transcended from bipartism to bipartite –plus in an effort to address the issues of concern to the members of ASUU.

Acknowledging that several efforts were made to apprehend and resolve the ASUU Strike that had commenced since March 9, 2020 to date over the following issues:

- 1) Funding for Revitalization of Public Universities
- 2) Earned Academic Allowance (EAA) /Earned Allowances (EA)
- 3) Salary Shortfall
- 4) State Universities
- 5) Visitation Panels
- 6) Re-constitution of the 2009 FGN /ASUU Re-Negotiation Committee
- 7) University Transparency and Accountability Solution (UTAS)
- 8) Withheld Salaries and Non-Remittance of Check –off Dues

Bearing in mind the conclusions and resolutions reached at the previous conciliation meetings between the representatives of the FG and ASUU leadership, the parties to the dispute finally agreed as follows:

I. Funding for Revitalization of Public Universities:

The FGN reaffirmed its commitment to implementing the Needs Assessment Report, which made provision for the 1.3trillion Naira documented in the MoU of 2013. The 1.3trillion Naira had been divided into annual tranches of 200billion in 2013, and 220billion each year for the period 2014 to 2018. Apart from the 200billion Naira that was released in 2014, and an additional 20 billion Naira in 2019 as a show of FGN's commitment to the MoU of 2013, Government has not released any other tranche since then. During the conciliation meeting:



- Government maintained that in spite of the economic downturn the country currently faces, Government is poised to revitalize and position public universities in the country to meet international standards.
- Government offered to pay 30 billion Naira as part of one tranche of 220 billion Naira on or before 31st January, 2021, as a sign of commitment to the MoU of 2013.
- It was also agreed that the funds would be domiciled in the Central Bank of Nigeria (CBN) and paid into the Needs Assessment Account as Universities Revitalization Fund, to be disbursed by the Implementation Monitoring Committee (IMC).
- Government proposed a special meeting of FME, NUC, FMFBNP and ASUU for the end of February, 2021, to work out an implementable schedule for the payment of the balance of 170 billion Naira, in order to demonstrate that Government has not repudiated the MoU of 2013.

As a further step aimed at fully implementing the Needs Assessment Report as documented in the FGN-ASUU MoU of 2013, the Federal Ministry of Education in liaison with the Federal Ministry of Finance, Budget and National Planning and the National Assembly had proposed that by December, 31st of 2020, the document on sustainable funding of education would have been activated, necessary approval secured, laws requiring amendment would have been drafted and sent to the National Assembly for processing.

2. Earned Academic Allowances/Earned Allowances (EAA/EA):

It was agreed that the DAGF shall release 40 billion Naira on or before 31st of December, 2020, to offset part of the outstanding claims of members of all the registered Trade Unions in the Universities, after each staff had provided necessary evidence of having earned the allowances. The NUC is to provide the necessary account details before this date.

- The quantum of money to be allocated to each beneficiary university shall be determined by the NUC (Working with the Vice Chancellors) and communicated to the office of the Accountant General of the Federation for releases to be made to beneficiary universities.
- ASUU raised the issue of shortfalls in the allowances of some of its members such as call duty allowances, administrative allowances, etc. The Union further claimed that the National Salaries Incomes and Wages Commission (NSIWC) had slashed the allowances of its members even when the allowances were the outcome of Collective Bargaining Agreements (CBA).

The meeting noted that ASUU had opened up discussion with the NSIWC through the NUC. The NUC has set up a Committee to work on this complaint, for transmission of their observation to the NSIWC, for review and appropriate necessary action.

- The process of mainstreaming of EAA into Annual Budget using the agreed formula shall be activated. NUC and the FMoE which were mandated to coordinate the activation process reported that the computation of needed resources had been completed and advance copies of the computed resource requirement had been forwarded to the National Assembly for necessary action. The mainstreaming process had been concluded with the transmission of a formal letter to the National Assembly by the FMoE. According to ASUU, the National Assembly (NASS) had agreed to implement the process of mainstreaming, provided the amount involved is sent in as quickly as possible by the FMoE.
- The Honourable Minister of Labour and Employment was mandated to ascertain the state of the document: if it was not captured in the 2021 appropriation, the HMLGE in liaison with the HME shall work towards its being captured in the 2021 supplementary budget, which has already been called for by NASS.

3. Salary Shortfall:

The ASUU had observed that the money paid to the Federal University of Technology, Akure (FUTA), exceeded the salary shortfall amount owed to FUTA. ASUU therefore, insisted that FUTA should refund the excess amount the University was paid to the Treasury. The Meeting was informed by the DAGF that there was no excess in the amount sent to the FUTA, as salary arrears, since the University had other outstanding payment covering the said amount sent to it.

4. State Universities:

The Executive Secretary of the NUC reported that NUC and ASUU had started the needed engagement on the draft amendment of the NUC Act. The meeting was informed that the work on the bill was at its final stage. Both sides agreed that the Draft Amendment Bill would be transmitted to the National Assembly by 15th January, 2021.

5. Visitation Panels:

The Executive Secretary of the NUC informed the meeting that details of the Panels and the readiness of Government to inaugurate had been relayed in the media. It was agreed that the details of the composition of the Visitation Panels with the Terms of Reference (ToR) would be



published before 31st December, 2020 and the Panels would be inaugurated as soon as ASUU suspends its strikes and the universities are opened.

6. Re-constitution of the 2009 FGN/ASUU Re- negotiation Committee:

- I. The meeting noted that the inauguration of the 2009 FGN/ASUU Re-negotiation Committee took place on Wednesday, 2nd December, 2020
- II. Also the Committee which was given a timeline of 8 weeks to conclude its work, had commenced meetings. Both sides are satisfied with the progress being made.
- III. Government posited with certainty that the negotiated position shall be implemented without delays. The Honourable Minister of Labour and Employment undertook to liaise with the leadership of the Governors' Forum, Senate, and the Chief of Staff to Mr. President, to actualize the expeditious implementation of the Agreement that would ensue from the re-negotiation.

7. University Transparency and Accountability Solution (UTAS):

The Minister of Labour and Employment gave his assurances to follow up with NITDA and the FME to expedite action on the test process and ensure the deployment of the UTAS for the payment of salaries of staff of universities. The timeline for the deployment of UTAS shall be discussed at the end of February 2021 special meeting.

ASUU responded positively to the request by the NSIWC to do a demonstration for its consideration. ASUU is to liaise with the NSIWC for this purpose.

The meeting decided that UTAS would be used in providing transparency and accountability in the personnel and payroll administration in Nigerian public universities. In the interim, Academic Staff would be paid their salaries as they were paid between January and June, 2020 by a hybrid system developed between the OAGF and NIMC during this transition period.

8. Withheld Salaries and Non-remittance of Check-off Dues:

The FGN affirmed its commitment to pay all withheld salaries of ASUU members who had not enrolled in the Integrated Personnel and Payroll Information System (IPPPIS). However, due to



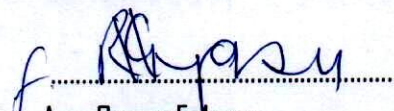
special management of funds, the FGN promised to pay in installments the withheld salaries with effect from December, 2020, starting with the universities that had made submissions of their comprehensive personnel list. The exercise is to last till January 31st, 2021. Also, payment of check off dues of the ASUU shall start on or before 31st December, 2020.

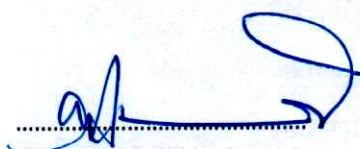
It was also agreed that all members of ASUU who have been omitted from any payments between February 2020 to June 2020 and from June 2020 to December 2020 shall be paid their salaries as soon as their respective universities update their list with the OAGF. This includes those on sabbatical leave.

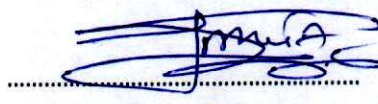
Based on the understanding reached on items 1-8, ASUU's leadership will consult with its Organs with a view to suspending the on-going strike as soon as possible. ASUU also pledges that, with the suspension of their action, extra lecture load will be undertaken to make up for lost academic time. Online and Virtual teaching will be undertaken when and where necessary in order to make up for the lost teaching time and adhere to and observe the COVID-19 protocols.

IT WAS AGREED THAT NOBODY SHALL BE VICTIMIZED IN ANY WAY WHATSOEVER FOR HIS/HER ROLE IN THE PROCESS LEADING TO THIS MEMORANDUM OF ACTION.


Biodun Ogunyemi, 23/12/2020
President of ASUU


Arc. Sonny Echono
Permanent Secretary, FMoE


Aliyu Ahmed
Permanent Secretary, FMFB&P


Dr. Yerima P. Tarfa
Permanent Secretary, FML&E