EMPLOYERS' ASSOCIATION FOR PRIVATE EMPLOYMENT AGENCIES OF NIGERIA

Monthly Newsletter November 2024 • Issue Number 37

Monthly Report to Members

Dear Distinguished Professionals,

On behalf of our Association, I'm delighted to welcome you to the new month! We are grateful for your insightful feedback on our previous Monthly Newsletters, which has significantly contributed to enhancing our content. Thank you for helping us refine and improve. As promised, we've consistently delivered our Newsletter, receiving overwhelmingly positive responses. We appreciate your ongoing feedback, especially in areas for growth. Our mission is to continually evolve and grow as an Association. Our Monthly Newsletter plays a vital role in achieving this goal. We invite you to review our recent accomplishments and learn about our future plans to address members' needs. Thank you for your unwavering support and engagement.

7th Registrar of Trade Union's Annual National Workshop

EAPEAN registered and attended the 7th Registrar of Trade Unions' Annual National Workshop on Current Challenges and Prospects of Trade Unions Administration in Nigeria with the theme – Best Practices for Social Partners Engagement in a Challenging Economy. The workshop held in Abuja between 27th and 28th November 2024. It is the first annual Program organized by the Trade Union Services and Industrial Relations (TUSIR) since EAPEAN's registration as an Employers Association. The Executive Secretary, Mr. Jide Afolabi represented EAPEAN.

Memos

Our Ref: EAP-ES/AM/07/2024

November 22, 2024

To: All Member Companies

Dear Sir/Madam,

LEGISLATIVE AND REGULATORY SUMMONS AGAINST EAPEAN MEMBERS

The Employers Association for Private Employment Agencies of Nigeria (EAPEAN) have noticed a concerning rise in legislative and regulatory summons targeting member companies.

A letter of invitation to an Investigative Hearing with the Committee on Safety Standards and Regulations of the National Assembly was brought to our attention by some of our members. The Employers Association for Private Employment Agencies of Nigeria (EAPEAN) is completely disturbed by this invitation; we see it as a deliberate attempt to overreach the powers and authority bestowed by the Constitution on the National Assembly. We are intrigued by this development which we unequivocally reject and condemn.

It is a known fact that there are statutory government departments, bodies, and agencies empowered with supervisory and regulatory responsibilities to oversee the activities of public and private organisations in Nigeria as elsewhere in the world. It is in this light that we view the said invitation as a deliberate and calculated attempt by the House of Representatives to sideline the statutory institutions in the discharge of their responsibilities. Really, it is inexplicable, unexplainable, strange, and an aberration for the House of Representatives to invite our members to Abuja on issues bordering on non-compliance with the provisions of the Employees' Compensation Act, Pension Act, ITF, Tax, Labour Act, Factories Act, etc. This is rather unfortunate for an egalitarian association like ours.

The Organised Private Sector in Nigeria (OPS) has at one time or the other expressed concern over these condemnable invitations/summons which amount to harassment and distractions, to say the least. In a statement, the Director-General of NECA, Mr Adewale Smatt-Oyerinde, stated that the activities of various committees of the National Assembly such as requesting Managing Directors of businesses to appear and also submit documents for the purpose of an investigation were worrisome; that the National Assembly has been undermining business sustainability and growth.

Also, it can be recalled that the Director General of the Manufacturers Association of Nigeria (MAN), Mr. Segun Ajayi-Kadiri, has expressed concern over incessant requests for information and invitations/summons of private businesses/companies by the committees of the National Assembly under Sections 88 and 89 of the 1999 Constitution (as amended). These invitations, to him, do not fall within the powers and responsibilities of the National Assembly in the exercise of oversight functions.

It is the firm opinion of NECA and our association, EAPEAN, that the actions of the House of Representatives are nothing but a usurpation of the powers and responsibilities of the executive arm of government.

We are aware on good authority, that NECA has dragged the House of Representatives to court over frequent summoning of CEOs and Directors of companies. NECA is specifically praying the court to determine the scope and

extent of the constitutionality of investigatory authority and powers of the lawmakers in Sections 88 and 89 of the 1999 Constitution (as amended), under what circumstances the legislators can exercise oversight power on companies in the private sector and to what extent it would entail a usurpation of the responsibilities of the executive arm of government. The case instituted by NECA is ongoing at the Supreme Court and a ruling is being awaited.

Despite ongoing court processes, organised businesses are still being inundated with torrents of summons/invitations and requests from the House of Representatives. This, to us, is a clear case of disrespect for the judiciary. It is trite that parties to a case are restrained by the sub-judice status of a case to exercise caution until the determination of the matter. The past Director-General of NECA, Dr Olusegun Oshinowo, had warned that the continued disregard of court processes and persistent summoning of CEOs of organised businesses to the National Assembly constitute a flagrant disregard for the rule of law and legislative rascality.

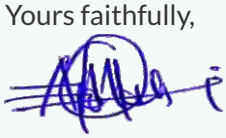
We wish to align and identify with NECA in this and other agitations to correct perceived aberrations in the conduct of the legislature and any other public authority. We are greatly encouraged by the enthusiasm and determination of NECA to follow its case to the Supreme Court. In light of the foregoing, you are advised to:

1. Notify the Secretariat: Report any contentious summon or invitation for review via *info@eapean.org and jafolabi@eapean.org*.

2. Ensure Compliance: Adhere to all relevant regulatory and statutory obligations to the Government and internal stakeholders.

We wish to assure our member-companies that EAPEAN will not hesitate to offer its considered opinion and take actions as appropriate under any situation and circumstances affecting its members brought to our knowledge. We will always act in the overall interest of the integrity, solidarity, well-being and prosperity of EAPEAN and its updated financial members. Thank you.

Yours faithfully,



Olajide Afolabi

Executive Secretary

Our Ref: EAP-ES/AM/08/2024

November 25, 2024

To: All Member Companies

Dear Esteemed Members,

NOTIFICATION ON LIMITS OF INDEMNITY AND REPORTING OF NON-COMPLIANT CLAIMS

We extend our warm greetings and appreciate your unwavering commitment to upholding the professional standards of the private employment sector. As part of our collective responsibility to promote compliance and safeguard the interests of member companies, we write to address the scope of indemnity obligations under the law and the need for vigilance when addressing client claims.

Limits of Indemnity

Indemnity clauses in staffing arrangements are intended to cover acts performed by outsourced personnel within the scope of their employment and under reasonable supervision. They do not extend to:

- **Acts Outside Employment Duties:** Deliberate acts of fraud, misconduct, or negligence beyond the employee's assigned responsibilities.
- **Systemic Failures:** Claims arising due to operational lapses, inadequate supervision, or control weaknesses within the client's organisation.
- **Client Negligence:** Situations where the client's failure to maintain accurate records or implement necessary safeguards directly contributes to the incident. These principles are supported by established jurisprudence, including local and international case law, which consistently emphasise that indemnity does not cover intentional misconduct or acts outside the scope of employment.

Reporting Non-Compliant Claims

It has come to the Association's attention that some clients may be requesting claims settlement that falls outside the legal framework for indemnity. In such cases, member companies are advised to:

Review the Request: Ensure that claims are assessed against the specific terms of the staffing agreement and within the boundaries of legal indemnity provisions.

Notify the Association: Promptly report any such instances to the Association, providing details of the claim and the client's request for further guidance and representation where necessary.

Our Commitment to Members

The Association is dedicated to supporting its members in navigating these issues by:

- Providing legal guidance on indemnity-related disputes.
- Representing member interests in discussions with clients to ensure compliance with established frameworks.
- Offering training on the proper interpretation and application of indemnity clauses.

Call to Action

We urge all members to remain vigilant and consult the Association in cases where indemnity-related claims deviate from legal and contractual stipulations. Together, we can ensure that the integrity of our industry is preserved and that member companies are protected from undue liabilities.

For further clarification or to report a non-compliant claim, please contact the Association Secretariat at info@eapean.org, jafolabi@eapean.org or 07039771750, 08032520081.

Thank you for your cooperation and dedication to maintaining professional standards.

Yours faithfully,



Olajide Afolabi

Executive Secretary

New Member

One (1) new member – Violet Parks & Premises inv. Ltd – joined in November. Consequently, EAPEAN membership has risen to 275. The Association is following up on other companies that have made enquiries.

Subscription

One Hundred and Thirteen (113) member companies are up to date on subscriptions as of November 30, 2024. Soon, only up-to-date members with subscriptions will be eligible for listing in the online register of members. Please get in touch with the Secretariat to confirm your status. We will continue to count on members for prompt payment of subscriptions. Please see below the list of up-to-date financial members.

Meetings

a. National Employment Council meeting held on 19 November, 2024 in Abuja. It was organized by the Federal Ministry of Labour and Employment. The Deputy President was in attendance.
b. Meeting of the Committee of Human Resource and Learning Experts held on 20 November, 2024 at NECA House, Lagos. The Executive Secretary was in attendance.
c. NECA Annual Employers' Excellence Awards 2024 (4th Edition) held at Sheraton Hotel, Lagos, on 22 November 2024. The Deputy President, Executive Secretary and EAPEAN members were in attendance.
d. 7th Registrar of Trade Unions' Annual National Workshop on Current Challenges and Prospects of Trade Unions Administration in Nigeria with the theme – Best Practices for Social Partners Engagement in a Challenging Economy. The workshop held Barcelona hotel, Abuja between 27th-28th November 2024. The Executive Secretary was in attendance.

For enquiries, please contact us @

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Financial Member - Companies

S/N	Company Name
1.	AC Splendour Nigeria Limited
2.	Adroit Investment Ltd
3.	AG DOT K. Limited
4.	APTIS Management Partners Ltd
5.	Ashaka Security Company Ltd
6.	ASC Nigeria Limited
7.	ATF Management Services Limited
8.	Atunwa Ventures
9.	Aniyikaiye General Contractor Nigeria Ltd
10.	Baamoc Integrated Services Limited
11.	Bezaleel Consulting Ltd
12.	Beatmol Nigeria Ltd
13.	Beckley Consulting Ltd
14.	Boomtac Gold Concept Ltd

Financial Member - Companies

S/N	Company Name
15.	Biosis Nigeria Limited
16.	Bimaks Nigeria Ltd
17.	Bowen Consulting Limited
18.	Bonny Turbine Global Services Ltd
19.	Business Development Gateway Matrix Ltd
20.	Buildfi Services Limited
21.	Cartel Multi Services Ltd
22.	Cen Global Services Ltd
23.	Consumer Links limited
24.	Danlux-Charis Int. Co Ltd
25.	Danvic Petroleum International Resources
26.	Damascus and Sons Nigeria Limited
27.	Deeajao Nigeria Limited
28.	Delog Nig Ltd
29.	Divine Caga Competence Nigeria Ltd
30.	Eden Solutions Resources Ltd
31.	ES & A Human Capital Limited
32.	EOON Global Resources Limited
33.	Estymol Oil Services Ltd
34.	Ednutano Nigeria Limited
35.	Elohim Remavic Resources Ltd
36.	Fort Knox Resourcing & Outsourcing Ltd
37.	Foyaf Investment Company Limited
38.	Gladwyn Investment Company Ltd
39.	Grace Vision Global Services Ltd
40.	Great Felvino Services Limited
41.	Gopsal Global Limited
42.	Heliserve Company Limited
43.	H & B Energy and Logistics Services
44.	HYT Broad spec Services
45.	HR Indexx Limited
46.	HR Interglobal Resources Ltd
47.	Hupe Nigeria Limited
48.	ICL Support Services Limited
49.	ICS Outsourcing Ltd
50.	Inner Ring Engineering & Logistics Services Ltd
51.	Israel Ogona and Sons Nigeria Limited
52.	Integrated Field Development Consultants
53.	Jiket International Services Ltd
54.	Joe - Han Network Marketing Ltd
55.	Karidav Integrated Services
56.	Kennedia Consulting Ltd
57.	Kerex Nigeria Limited
58.	Kedafoc Nigeria Ltd

S/N	Company Name
59.	Kimberly Ryan Limited
60.	Kleenwell Services Limited
61.	Leadmaster Ventures Limited
62.	Lington and Bernie Consulting Ltd
63.	LN Outsourcing Ltd
64.	Mary Bolajoko Consultancy Ltd
65.	MCG Global Logistics MGT Nig Ltd
66.	Monikol Nigeria Ltd
67.	Mark Calthers Consulting Limited
68.	Micura Services Ltd
69.	Nigeria Cleaning Services Ltd
70.	Nigsa Energy Services Limited
71.	Nautilus Nigeria Engineering and Construction
72.	Nzealbertech Nig Ltd
73.	Oasis Corporate System Limited
74.	Orfi Management Services
75.	Palm & Palm Company Limited
76.	Panef Integrated Services Ltd
77.	Piceco Nigeria Limited
78.	Purview Investment Ltd
79.	Phillips Outsourcing Services Limited
80.	PPI and KOG Nigeria Limited
81.	Qualiserve Technologies Limited
82.	Rasayela Nigeria Limited
83.	Red Star Support Services Limited
84.	RGS Worldwide Ltd
85.	Resource Intermediaries Ltd
86.	Renent Limited
87.	Rozdon Integrated Systems Ltd
88.	Strategic Outsourcing Ltd
89.	Septagus Consulting Ltd
90.	Stonehill Nig Ltd
91.	Stresert Services Limited
92.	Sandy Management Consultants Ltd
93.	Swift Rental Cars Ltd
94.	S.Lloyd Nigeria Limited
95.	Tacy Yact Limited
96.	Trade & Consumer Marketing Services Ltd
97.	Tusen Consulting Limited
98.	Tybitx Services International Ltd
99.	Tombeyi Services Nig Ltd
100.	Teamace Limited
101.	Top-Mot Assets Investment Ltd
102.	Togay Ventures Ltd

Financial Member - Companies

S/N	Company Name
103.	The Great Outsourcing Company Limited
104.	Theodom Integrated Investments Ltd
105.	Verity Associates Ltd
106.	Vic Lawrence & Associates Limited
107.	Vision Job 24/7 Nig Ltd
108.	Whytecleon Limited
109.	Workmen and Talents Agency Limited
110.	Waterside Investment Nigeria Limited
111.	XL Outsourcing Limited
112.	4PM Consulting Nigeria Limited
113.	XYZ Ltd

Dr Olufemi Ogunlowo
President