



GUARANTEES OF EMPLOYMENT RIGHTS OF CITIZENS IN THE REPUBLIC OF UZBEKISTAN

Begatov Jasurbek

*The Institute of State and Law of the
Academy of Sciences PhD*

Jbegatov96@gmail.com

Bektemirova Zukhra

*Student of Tashkent pediatric medical
institute*

Bektemirovazuxra741@gmail.com

Annotatsiya: *Tadqiqot maqsadi O'zbekiston Respublikasida fuqarolarning mehnat qilish huquqining tashkiliy-huquqiy asoslarini yoritib berishdan iborat. Mehnat qilish huquqi insonlarning eng muhim iqtisodiy huquqlaridan biri hisoblanadi. Bugungi kunda jamiyatida insonlarni mehnat qilish huquqining kafolatlanganligi va ta'minlanganligi davlat siyosati darajasiga ko'tarilgan. Mehnat qilish huquqi insonning asosiy va ajralmas huquqlaridan biridir. Maqolada yangi qabul qilingan mehnat kodeksining o'ziga xos jihatlari haqida ham ma'lumot berilgan.*

Kalit so'zlar: *jismoniy shaxs, mehnat qilish, ijtimoiy himoya, ishsizlik, murojaat, davlat organi, qonun, ijtimoiy adolat, imtiyozlar.*

Abstract: *The purpose of the study is to clarify the organizational and legal foundations of the right to work of citizens in the Republic of Uzbekistan. The right to work is one of the most important economic human rights. Today, guaranteeing and ensuring the human right to work in society has risen to the level of state policy. The right to work is one of the fundamental and inalienable human rights. The article also provides information about the features of the newly adopted Labor Code.*

Keywords: *person, work, social protection, unemployment, appeal, state body, law, social justice, benefits.*

Аннотация: *Цель исследования - уточнение организационно-правовых основ права на труд граждан в Республике Узбекистан. Право на труд является одним из важнейших экономических прав человека. Сегодня гарантирование и обеспечение права человека на труд в обществе поднялось на уровень государственной политики. Право на труд является одним из основных и неотъемлемых прав человека. В статье также представлена информация об особенностях вновь принятого Трудового кодекса.*

Ключевые слова: *физическое лицо, работа, социальная защита, безработица, обращение, государственный орган, закон, социальная справедливость, льготы.*

Today, thanks to the reforms implemented in the field of employment of the population in Uzbekistan, systematic work is being carried out in the field of freedom of work, employment of the population and provision of employment.



The social policy implemented in the field of employment of the population is, first of all, to ensure that our citizens work and thereby lead a decent life. A regulatory and legal mechanism was created, based on the principles of freedom of choice of profession for every citizen, free choice of profession, non-discrimination of forced labor and work in fair working conditions. In particular, the State Fund for Employment Assistance of the Republic of Uzbekistan and the organization of its activities, the implementation of the state policy in the field of employment and labor protection, as well as the financing of the measures for the effective operation of district (city) employment assistance centers of the Cabinet of Ministers It is carried out in accordance with the procedure established by the Regulation "On the formation and use of funds of the State Fund for Employment Assistance of the Republic of Uzbekistan", approved by the decision No. 117 of April 20, 2016. Our legislative system on employment of the population is aimed at quickly providing employment to citizens temporarily deprived of work and labor income, and in case it is not possible to provide other guarantees provided by law in a timely manner. Forced labor, i.e. forcing to perform work by threatening to apply some punishment, is prohibited, except for the cases established by law. Freedom of work allows people not to engage in any work, except to work in the profession of their choice. The law does not establish any responsibility for not engaging in labor activities.

Citizens who are looking for a job and apply to the labor authorities have the right to receive free professional advice, vocational training, retraining, professional development, and relevant information in order to freely choose the work order, workplace, and labor regime. The state provides assistance to temporarily unemployed citizens who are fit for work and willing to work. State bodies assisting in employment must offer acceptable work to citizens who apply for employment assistance. If no job is found in the field of professional activity, the citizen can be declared unemployed and receive the appropriate amount of unemployment benefits. From the age of sixteen to the age of receiving the right to pension, without a job or salary, registered with the local labor body as a job seeker, training and retraining for work, profession People who are able to work and are ready to improve their skills are recognized as unemployed.

Unemployment benefit is granted to a person recognized as unemployed from the date of registration with the local labor agency as a job seeker. An unemployed man under the age of thirty-five with up to three dependents is granted



unemployment benefits if he participates in paid public works in accordance with the procedure determined by the Cabinet of Ministers of the Republic of Uzbekistan. The right of an unemployed person to receive benefits comes into force from the eleventh day after the time of registration as a job seeker. In order to ensure the employment of the population in our country, to eliminate the discrimination of the rights of women and girls in the field of employment, at the same time, to ensure the equal rights of men and women, the following opportunities will be created:

- a) work as an inalienable right of all human beings;
- b) having the same opportunities in employment, at the same time, applying the same selection criteria in employment;
- d) work, including free choice of occupation or type of work, promotion and job security, as well as apprenticeships, advanced vocational training and regular training full use of all benefits and conditions of employment, vocational training and retraining;
- e) equal remuneration, taking into account benefits, under equal conditions for work of the same value, as well as an equal approach to evaluating the quality of work [1, 8-9];

The right to work, enshrined in Article 37 of the Constitution of the Republic of Uzbekistan, is the basis of all human rights and freedoms. This right, expressed in the Constitution of the Republic of Uzbekistan: firstly, citizens can freely choose the profession they want; secondly, getting a job according to one's ability; thirdly, getting paid according to the volume and quality of work; fourth, to work under fair working conditions and to be protected from unemployment in accordance with the law; fifth, it means providing the necessary tools for labor protection. It assigns the state the task of providing employment to citizens based on their skills, knowledge and qualifications. The right to work of the citizens of Uzbekistan was enriched with new privileges and rules with the honor of independence and independence. Every citizen has the right to work and use its results, including the right to use their skills for productive and creative work, free choice of work, favorable working conditions, minimum wage guaranteed by the state and protection against unemployment, equal work, has the right to equal pay without discrimination. In the process of establishing a democratic, humane civil society in the Republic of Uzbekistan, a necessary condition for the development of the state



and society is the right to work guaranteed by the Constitution and current laws, which is the source of increasing the wealth of the society[2, 304].

In order to guarantee the labor rights of citizens in Uzbekistan, the labor code was adopted in a new version. The new version of the law, which creatively uses the legislation of modern countries compatible with the market economy, was adopted on October 28, 2022. The new code defines the following main principles of legal regulation of individual labor relations:

- equality of labor rights, prohibition of discrimination in the field of work and training;
- freedom of labor and prohibition of forced labor;
- social partnership in the field of labor;
- the guarantee of the provision of labor rights and the fulfillment of labor obligations;
- preventing the deterioration of the employee's legal status.

These changes have created a mechanism for the protection of socially needy categories of the population in today's "self-sufficiency system" of the market economy, improving the social condition of people. The state provides additional guarantees for the employment of socially needy categories of the population, the establishment of specialized organizations, including organizations for the employment of persons with disabilities, the organization of special retraining and skill improvement programs, and the establishment of the minimum number of jobs. In the newly revised labor code, the following were included in the socially needy categories of the population:

- single parents with children under 14 years of age, children with disabilities, as well as parents in large families;
- young people who have completed general secondary and secondary special educational organizations, vocational schools and colleges and technical institutes and have a profession;
- Graduates of "Mehribonlik" houses, as well as graduates of higher education organizations who received education on state grants;
- Persons discharged from military service in the forces of the Ministry of Defense, Internal Affairs, Emergency Situations, National Guard, State Security Service;
- Persons with disabilities;
- Persons of pre-retirement age (two years before the statutory retirement age);



- Persons who have been released from penal institutions or persons who have been subjected to coercive medical measures according to the court's decision;
- Victims of human trafficking [3].

The state provides additional guarantees for employment to the above categories. One of the main innovations in this code is the extension of the minimum annual basic work leave from 15 days to 21 calendar days. The Code prohibits giving the employee's personal data to other persons without his consent. This is undoubtedly the basis for the protection of personal privacy.

According to the chapter of the Constitution of the Republic of Uzbekistan defining the economic and social rights of citizens, every person has the right to work, freely choose a profession, work in fair working conditions and be protected from unemployment in accordance with the law. In addition to other specified cases, the prohibition of forced labor (Article 37), the right to rest for all employed citizens and the determination of working hours and the duration of paid vacations by law (Article 38), as well as the Republic of Uzbekistan In the Labor Code, the guarantees of the state in the implementation of the right to work (Article 58) are strengthened. However, despite the fact that the protection of labor rights of citizens is guaranteed at the level of the Constitution and laws, illegal situations such as forced labor, use of child labor, and human trafficking were noticed. Helga Konrad, the representative of the OSCE on combating human trafficking, said that every year 200,000 to 500,000 people are trafficked to Western European countries. 60% of them are women, 40% are men. The representative notes that the profit from human trafficking is 10-15 billion dollars every year. Human trafficking is a criminal chain that must be fought from the smallest link to the last. Only then can success be achieved. Human trafficking is both a matter of criminal law and protection of human rights at the same time [3, 58].

As a result of the drastic measures taken today, the burden of forced labor and a number of other similar evils in the society has decreased significantly. International organizations have recognized the fact that guarantees of the right to work, which is one of the priorities of human rights, have been defined as one of the main directions of state policy, and as a result of the changes made in the system, the cases of forced labor have decreased significantly.

At the meeting held by the President of the Republic of Uzbekistan Sh. Mirziyoyev with the members of the Constitutional Commission on the adoption of the new constitution, it was noted that creating decent working conditions and



reducing poverty are the main goals of the constitutional reforms, emphasized According to the additions to Article 37 of the Draft Constitutional Law of the Republic of Uzbekistan "On Amendments and Additions to the Constitution of the Republic of Uzbekistan" submitted for public discussion, decent work for everyone, While the right to fair and non-discriminatory remuneration for work is guaranteed, it is stipulated that the minimum amount of remuneration for work should be sufficient for a person and his family to live. The above-mentioned constitutional reforms are the basis for improving the social situation of the people and raising it to a new level.

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