

GUARANTEES OF LABOR RIGHTS IN UZBEKISTAN AS ONE OF THE PRINCIPLES OF DECENT WORK

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Abstract. The article examines the main guarantees of labor rights in Uzbekistan as one of the key principles of decent work. The legislative framework is analyzed, including the Constitution, the Labor Code of the Republic of Uzbekistan, ratified conventions of the International Labor Organization and other regulatory legal acts. Particular attention is paid to mechanisms for ensuring the right to work, employment, fair wages, safe working conditions and social protection. The role of trade unions and social dialogue in achieving decent work is also considered. The conclusion notes the prospects for improving labor legislation and strengthening control over its observance.

Keywords: decent work, labor rights, employment, social protection, trade unions, working conditions, wages.

INTRODUCTION

Decent work is one of the key elements of social and economic development of society. In Uzbekistan, the protection of labor rights plays an important role in state policy aimed at ensuring fair working conditions, social protection and legal stability of workers. The main guarantees of labor rights are legislative regulation, the right to safe working conditions, fair pay and social dialogue.

In 1999, the International Labour Organization developed the Decent Work Concept, which is based on such strategic goals as the implementation of international norms and principles in the sphere of labor, expanding the scope of protection of the rights and interests of workers, improving social and labor relations between government agencies, employers and workers, and strengthening social dialogue in resolving socio-economic issues.

The task of forming a set of prerequisites, providing for workers decent working conditions, became relevant at the stage of formation of a developed industrial society. Specialization, division and cooperation of labor required, along with high labor discipline, the creation of developed systems of social security and insurance. The most important postulates of the labor ethics of industrial society are: meaningful labor, skilled and hardworking employee, responsible employer.

Similar installations contain Concept worthy labor, developed International Labor Organization. The implementation of its provisions allows for a wide range of needs to be met worker and his families with positions of expanded reproduction workforce and high quality of working life:

- process labor must pass in a safe and healthy working environment;
- conditions labor should be compatible with prosperity and human dignity of workers;
- work should open up real opportunities for a person self-development of the individual and service to society.

According to the Concept, the following characteristics of decent work are identified:

- productive activity or productive work capable of ensuring competitiveness countries;
- fair income for workers;
- safety on working place;
- social protection (from unemployment, in case of pregnancy, need to care for a child, pension provision);

- Prospects personal growth;
- active participation in making important management decisions (through trade unions and business associations);
- equal starting positions and opportunities for both sexes.

Is thus a multifaceted concept. It encompasses occupational safety and health, income security and access to social services, services, proper income V old age and in case of illness, as well as the right to organize and defend one's rights, the right to be free from violence and oppression.

Based on the analysis of the existing statistical base in the regional context, a set of specific criteria characterizing decent work was identified, five blocks were identified and within their framework, the most suitable indicators reflecting the level of decent work. In particular:

- *employment and unemployment;*
- *wages;*
- *qualifications and education;*
- *labor safety;*
- *macroeconomic indicators of decent work.*

Based on these indicators, it was proposed to calculate an integral index of decent work, reflecting the most important components of decent work.

The selection for the integrated assessment of the level of decent work at the regional level was based on the following principles:

- selection from standard indicators of state statistics;
- maximum reliability of statistical information;
- the ability of the indicator to reflect territorial differences and dynamics of the component of decent work under consideration;
- minimizing the number of indicators by selecting the most adequate of all indicators for a specific component.

However, it should be noted that the chosen methodology of quality of life in terms of decent work requires a wider list of industries and more reliable statistical information.

The Sustainable Development Goals (SDGs) were developed by the UN General Assembly in 2015. They consist of 17 interrelated goals as a “blueprint to achieve a better and more sustainable future for all.” These goals were called the “2030 Agenda” in the General Assembly resolution.

The Sustainable Development Goals are a call to action for all countries – poor, rich and middle-income. They aim to improve well-being and protect our planet. States recognize that measures to eliminate poverty must be taken in parallel with efforts to increase economic growth and address a range of issues in the areas of education, health, social protection and employment, as well as combating climate change and protecting the environment.

In the Republic of Uzbekistan, over the past 20 years, special attention has been paid to ensuring decent work. Thus, in particular, on May 27, 2022, an international round table was held in the Senate of the Oliy Majlis dedicated to the discussion of the roadmap of the Country Program for Decent Work in the Republic of Uzbekistan for 2021-2025. The event was organized by the National Commission for Combating Trafficking in Persons and Forced Labor jointly with the International Labor Organization. It is worth noting that Uzbekistan, as a member of the International Labor Organization, fully and firmly fulfills its international obligations, carries out consistent cooperation with the organization for the development of labor relations. At this meeting, it was noted that in recent years, cooperation between Uzbekistan and the ILO has reached a completely new level, a number of projects and programs have been implemented to improve labor relations and widely promote the principles of decent work, due to which the system of labor relations has been radically improved, international standards have been introduced into the sphere, and the protection of citizens' rights in the labor sphere is consistently ensured. A systematic and comprehensive approach to work aimed at improving labor relations in Uzbekistan and eliminating existing problems in this area receives full support and international recognition from the international community, in particular the

International Labor Organization. It was noted that the first major program with the International Labor Organization is the Decent Work Program in Uzbekistan for 2014-2016 and subsequently extended until 2020. The program has been fully implemented and has made a worthy contribution to improving work in this area.

The participants of the round table expressed their opinion on the new Country Program for Decent Work in Uzbekistan for 2021-2025, adopted in September 2021 in order to further improve decent working conditions and implement new projects.

The work carried out jointly with the International Labour Organization to create decent working conditions is becoming the main factor in the development of labor relations in the new Uzbekistan.

In 2022, at the 5th Global Conference on the Elimination of Child Labor, which was held in Durban, South Africa, where the Director-General of the International Labor Organization (ILO) Guy Ryder noted: “Some may say that child labor is an inevitable consequence of poverty and that we should put up with it. But this is not true. We have no right to put up with child labor. And we should not. Of course, addressing the root causes - such as family poverty - is of paramount importance. But make no mistake: child labor is a violation of one of the fundamental human rights, and our goal must be to ensure that no child anywhere on the planet is subjected to it. We must not rest until this becomes a reality.” At the same time, the participants highly appreciated the work to combat human trafficking and forced labor in Uzbekistan and emphasized that the results achieved in this area are important for the implementation of the principles of decent work in the country, ensuring employment of the population, and the experience of Uzbekistan should become an example for other countries.

The legal framework for decent work according to the International Labour Organization (ILO) is based on four key principles: employment, social protection, workers’ rights and social dialogue. The ILO develops and implements international conventions and recommendations aimed at ensuring decent working conditions throughout the world. Uzbekistan has ratified more than 20 ILO conventions, including Convention No. 87 on Freedom of Association and Protection of the Right to Organise, Convention No. 98 on the Right to Organise and Collective Bargaining and Convention No. 100 on Equal Pay. These international standards serve as the basis for national legislation regulating labour relations and guarantees of workers’ rights.

In the context of economic transformation, effective employment, the creation of favorable conditions for workers, and appropriate and timely payment for their work form the basis of decent work, which is one of the main factors for stable growth and development, compliance with the principles of social justice, and the harmonious provision of interests in society.

In the Republic, as a whole, a legislative framework has been formed aimed at solving the problems raised. It should be noted that national legislation, first of all, relies on the Constitution of the country, as the main guarantor of further ensuring social justice, legality and welfare of man and society.

Articles 42-45 of the updated Constitution define the basic principles of state policy in the area of decent work and employment. They are expressed in the legislative consolidation and guarantee of human rights to free choice of work, state assistance in ensuring employment, providing social guarantees in the area of employment, protecting the population, especially young people, from unemployment. The most important priority of legal policy in this area is also the support and encouragement of labor and entrepreneurial initiative of people, assistance in the development of their abilities for productive and creative work, ensuring decent working and living conditions. The right of citizens to free choice of profession and type of activity, favorable working conditions that meet safety and hygiene requirements, fair remuneration for work without any discrimination and not lower than the established minimum wage is now regulated at the Constitutional level. It is prohibited to refuse to hire women, dismiss them from work and reduce their wages for reasons related to pregnancy or the presence of a child (Article 42). Forced labor, any form of child labor that poses a threat to the health, safety, morality, mental and physical development of a child, including preventing him from receiving an education, is prohibited (Article 44). Everyone has the right to rest, which is

guaranteed by limiting the duration of working hours, mandatory establishment of days off and non-working holidays, paid annual labor leave (Article 45), as well as social security, including during unemployment. At the same time, the amounts of social assistance established by law cannot be lower than the officially established minimum consumer expenditures (Article 46).

Legal regulation of labor relations in Uzbekistan is also carried out on the basis of the Labor Code of the Republic of Uzbekistan, which entered into force in 2022 and includes modern principles of labor law that comply with international standards. The Labor Code regulates the conclusion, modification and termination of an employment contract, establishes standards for labor protection, working hours, remuneration, as well as the procedure for resolving labor disputes. For example, Article 153 of the Labor Code defines the minimum wage, which is indexed annually by the state. Also, in accordance with Article 215, employees have the right to safe working conditions, and employers are obliged to ensure that workplaces comply with labor protection requirements. Additionally, as part of the social protection of workers, the Law "On Employment of the Population" provides for mechanisms of state support for temporarily unemployed citizens, including benefits and retraining programs, as well as international standards ratified by the country. In 2022, the country adopted a new Labor Code that complies with modern standards and requirements of international law.

The state takes measures to ensure employment of the population. The main guarantees include:

- equal access to employment without discrimination;
- government programs for job creation;
- promoting employment of vulnerable groups of the population (youth, women, persons with disabilities);
- development of professional education and retraining of personnel.

An important initiative is the Youth Book program, aimed at supporting the employment of young professionals.

In Uzbekistan, the state is actively developing and implementing measures aimed at ensuring employment of the population. The main directions of state policy in ensuring employment of the population are:

- 1) Job creation programs:
 - a government program to promote employment that provides for the creation of new jobs, especially in rural areas;
 - support for small and medium-sized businesses through preferential lending and tax breaks.
- 2) Development of professional education and retraining:
 - vocational training centres where citizens can gain new skills and improve their qualifications;
 - internship and practice programs for young people and university graduates.
- 3) Support for vulnerable groups:
 - employment quotas for persons with disabilities;
 - special programs for women, mothers with many children and people of pre-retirement age.
- 4) Promoting self-employment and entrepreneurship:
 - government subsidies and grants for small business development;
 - training courses for aspiring entrepreneurs.
- 5) Development of the labor migration system:
 - state programs for legal employment of citizens abroad;
 - Providing social guarantees for labor migrants.

Occupational safety and health are the most important aspects of worker protection. The country has regulations that ensure:

- ✓ state control over compliance with labor protection;

- ✓ the employer's obligation to provide safe working conditions;
- ✓ the right of workers to refuse to perform work if their health is at risk;
- ✓ compensation payments in case of accidents at work.

The State Labor Inspectorate regularly conducts inspections and develops measures to improve working conditions.

As a result of large-scale work carried out in Uzbekistan to implement the Decent Work Concept, the right to work, work in fair conditions, and free choice of profession of each citizen is fully ensured. In accordance with the republican and regional programs for ensuring employment of the population and supporting entrepreneurship, about one million new jobs are created annually. Based on the decrees of the President of the Republic, the amount of wages, scholarships, and pensions is increased.

The social protection system is being consistently improved and its targeting is ensured. Uzbekistan has introduced a robust system of state and public control in the labor sphere, and an effective social dialogue has been established to comply with the principles of decent work between the state, trade unions and employers. The country does not have such problems as child labor, discrimination in labor relations, growing income inequality, and unmanageability of the labor market.

Social protection includes guarantees in the field of insurance, pensions and payments in case of loss of ability to work. The main elements of social protection are:

- pension provision (funded and solidarity systems);
- state health insurance;
- temporary disability benefits;
- support for the unemployed through a system of benefits and retraining courses.

These measures are aimed at protecting workers in difficult life situations and ensuring a stable standard of living.

Social dialogue between the state, employers and trade unions plays a key role in ensuring decent work. The following are functioning in Uzbekistan:

- ✓ National Labor Council;
- ✓ industry and regional trade union associations;
- ✓ collective agreements between employers and employees.

The development of collective agreements helps resolve labor disputes and improve working conditions.

Trade unions play an important role in protecting workers' rights and achieving the legal basis for decent work in Uzbekistan. The Federation of Trade Unions of Uzbekistan is the largest unifying structure representing the interests of workers in the country. It actively participates in the development of labor legislation, monitoring its implementation and conducting collective negotiations with employers.

An example of the effective work of trade unions is their participation in the revision of the Labor Code of 2022, which took into account proposals to protect workers from unjustified dismissals and to strengthen labor protection standards. Trade unions also actively interact with international organizations, such as the International Labor Organization, which contributes to the implementation of global standards in the field of labor relations.

The country's trade unions are given broad opportunities to exercise public control over compliance with labor legislation, protect workers' rights, and fulfill their responsibilities in the area of collective bargaining.

In particular, in accordance with the strategy of the Decent Work Concept, trade unions of Uzbekistan ensure legal protection of workers and prompt resolution of their requests.

In order to expand the scale of free legal assistance to citizens and promote national and international standards in the social and labor sphere among the general public, the activities of a legal clinic at the Federation of Trade Unions of Uzbekistan have been established.

Based on the provisions of the ILO Decent Work Concept, trade unions of Uzbekistan exercise public control over the hiring of socially vulnerable persons for quota jobs, provide assistance in organizing labor fairs for temporarily unemployed citizens, and implement benefits and guarantees provided for in collective agreements for citizens engaged in home-based work. Issues of assistance in improving the skills of workers and ensuring their full employment are also priority areas of trade union activity.

Trade unions actively participate in the implementation of state youth policy and promote employment for university and college graduates, and also carry out systematic work to improve the knowledge of graduates in the field of social and labor relations.

Thus, labor rights guarantee in Uzbekistan cover a wide range of aspects aimed at ensuring decent work. The country's legislation ensures the protection of workers, new social protection mechanisms are being created, and social dialogue is being strengthened. However, for further development, it is necessary to strengthen control over compliance with labor standards, introduce modern labor safety standards, and expand employment support programs. In general, Uzbekistan continues to improve the labor rights system taking into account international standards and national interests.

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