

ORGANIZATIONAL AND LEGAL BASES OF LEGAL PROTECTION OF MINORS' LABOR IN THE REPUBLIC OF UZBEKISTAN

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ABSTRACT: This article examines the most advanced layer of society and the state, at the same time, the foundation of which is aimed at regulating labor relations for young people, organizational and legal issues were analyzed. based on scientific and theoretical data, the researcher stressed the need to protect the right of minors to work on the basis of practical examples, as well as statistical data.

KEYWORDS: Labor protection, minors, labor rights of minors, social life, social protection.

INTRODUCTION

Over the past period, in order to protect the rights and freedoms of minors in our country, to create suitable conditions for them in all spheres of social life, a sufficient level of normative-legal mass has been created, and in the adoption of these legal documents, first of all, the universally recognized rules of international law, the experience of the most developed

According to the UN, in the 2017 Year 16 million children were born in the disputed regions of the world. This means that every eighth child, born in the 2017 year, was born in a state of War when he heard the arrow. In turn, from the first day of the life of children born in such conditions, there was massive of qualified medical services and other assistance.

Deran Lake, the executive of the UNICEF organization, noted: "in both seconds, the newborn carried out his first breath in a state of war...". This idea itself allows us to imagine in some regions of the world where the legal status of children, their way of life, is in what condition they live today^[1].

THE MAIN FINDINGS AND RESULTS

It is not surprising that we brought up this information at the beginning of this article. In our country, work is being carried out to protect the rights and interests of young people, especially children, as well as to provide medical care to children, which will serve as an example to other countries. The implementation of these measures from the first years of independence can be demonstrated by the example of normative-legal acts adopted on the rights of children, protection of motherhood and childhood, provision of labor rights to minors.

The Constitution of the Republic of Uzbekistan, the Labor Code, the law "on guarantees of the rights of the child", the law "on the profile of uncontrolled and violations among minors", "on employment of the population", the resolution of the Cabinet of Ministers of 12 September 2008 "on measures to implement the Convention on the minimum age for recruitment ratified by the Republic of Uzbekistan and, "The list of cases of unfavorable working conditions in which the labor force of persons under the age of eighteen is prohibited" (29.07.2009 y.) and "regulations on the establishment of the limit of the norms of heavy cargo, which persons under the age of eighteen can carry and carry" are in the sentence of such legal documents.

In these documents, priority attention is paid to issues aimed at ensuring the right to work, which is one of the main rights of minors, creating fair working conditions for them, protecting the rights of minors to work, as well as the issue of prohibiting the most severe forms of forced labor and child labor in the Republic.

According to statistics published annually by international organizations, about 17% of children under the age of 14 are now working more than 48 hours a week, being completely excluded from the education system. Also, about 20 % of children under the age of 10 are employed in the active sector of the economy. According to UNICEF, in the UK, more than 3 million children are actively engaged in labor activity. Many of these are children of migrant families from foreign countries. Bangladesh's sewing industry accounted for about 45% of workers with children under 16 years of age (currently – about 5%). In some African countries, 50% of children are employed during full-time employment in agricultural work throughout the year. There is information that in the 90-ies in the development of football balls in Pakistan 50 thousand children were engaged [2].

The regulation of the work of minors, the Prohibition of their forced labor, is one of the four main areas of protection of the rights of laborers and, accordingly, is one of the most important areas of activity of the International Labor Organization. To date, 189 conventions have been

adopted by the International Labour Organization, these legal acts are recognized as International Labor Standards. In particular, the International Labour Organization has adopted several conventions "on the minimum age for recruitment", "on the Prohibition of the worst forms of child labor and urgent measures to end them", which have been ratified by Uzbekistan and are being introduced into our lives today.

The 138th Convention of the International Labour Organization (ILO), ratified by the Republic of Uzbekistan in 2008 "on the minimum age for recruitment"(June 26, 1976, Geneva) regulates both paid and unpaid child labor in all sectors of the economy. This convention expresses the definition of the minimum age for recruitment, the most comprehensive and strict concept, demonstrating a consistent and flexible approach to the problem, especially with respect to developing countries.

In the national laws on the protection of children and adolescents and in the conventions of the International Labour Organization, the following six paragraphs are usually distinguished: the Prohibition of recruitment of persons younger than the specified age; the prohibition or restriction of the use of children and adolescents in dangerous and harmful work or in the provision of services to certain types of [3].

It is important that 14 conventions of the International Labour Organization of the Republic of Uzbekistan, including 7 conventions of the International Labour Organization, which form the basis of 8 conventions, as well as conventions in the field of forced labour and the Prevention of the worst manifestations of child labour, have been ratified and all the provisions provided for in these international legal

In the process of implementing measures aimed at regulating the labor of minors in our country, special attention is paid to the issues of improving the legal means of using children's Labor, introducing additional guarantees in order to ensure the appropriate working conditions for minors, eliminating the worst manifestations of children's labor.

According to the legislation of Uzbekistan, recruitment is allowed at the age of sixteen. For the preparation of children for labor, it is allowed to hire students of secondary schools, secondary special, vocational educational institutions with the written consent of one of their parents or one of their parents ' substitutes after they have reached the age of fifteen to perform a light work that does not harm their health and moral perfection, does not violate the educational process.

The employer is obliged to ensure the equality of minors in legal relations with other employees on labor, working conditions, and guarantees established by law for minors. These guarantees are covered in Paragraph 2 of paragraph XIV of the Labor Code of the Republic of Uzbekistan and are in harmony with international legal documents and the experience of developed democratic states [4].

In accordance with the Labor Code of the Republic of Uzbekistan, the list of works related to unfavorable working conditions, in which the use of the labor of persons under the age of eighteen is prohibited, and the limit of the norms of heavy loads that persons under the age of eighteen can carry and carry, shall be established by the Ministry of Labor [5]. Persons under the age of eighteen are forbidden to engage in night work, overtime work, and on weekends.

For minors under the age of sixteen to eighteen, the duration of working hours for the duration of the school year from study to study in their spare time can not exceed thirty-six hours, for minors under the age of fifteen to sixteen, an increase of more than half of twenty-four hours.

For cases of non-compliance with the requirements of the labor legislation in the recruitment of minors and the use of their labor, measures of responsibility are established in the legislation. In particular, on 21 December 2009, the new norm "violation of the requirements of preventing the use of the labor of minors "was introduced into the code of administrative responsibility with the law" On amendments to the code of administrative responsibility of the Republic of Uzbekistan in connection with the improvement of the legislation on the protection of the rights of minors". According to him, a fine of one to three times the minimum wage is imposed on citizens who are responsible for the use of underage labor in jobs that could harm their health, safety, or morals [6].

The termination of the employment contract with employees under the age of eighteen on the initiative of the employer, in addition to compliance with the general procedure for the termination of the employment contract, is allowed with the consent of the local labor authority.

Parents and guardians (sponsors), as well as the bodies controlling over the protection of labor, as well as commissions engaged in the affairs of minors, are entitled to demand the termination of the employment contract with such persons, if the continuation of the work performed by persons under the age of eighteen causes damage to their health or otherwise to them.

Summarizing the above points, in order to ensure comprehensive protection of the rights of children in the sphere of labor in the last years and to adapt the national legislation to international standards, it is desirable to separately indicate the following as measures implemented in Uzbekistan:

Firstly, the Labor Code of the Republic of Uzbekistan is supplemented with special norms, which provide for additional guarantees for minors in the conclusion and termination of labor contracts, in the fulfillment of labor obligations, in the determination of the working time period, in the provision of Labor holidays;

Secondly, in order to fulfill the requirements of the law "On Guarantees of Children's Rights" [7] of January 7, 2008, on December 21, 2009, the law "On Amendments to the Code of the Republic of Uzbekistan on Administrative Responsibility in connection with the improvement of legislation on the protection of the rights of minors" was adopted, according to which a new article 49. [8]

Thirdly, in accordance with the requirements of Article 2 of the law of the Republic of Uzbekistan "on amendments to the code of administrative responsibility of the Republic of Uzbekistan in connection with the improvement of the legislation on protection of the rights of minors, In accordance with the joint decision of the Ministry of Labor and social protection of the population of the Republic of Uzbekistan and the Ministry of Health in 2010 Year 15 janvar "regulations on requirements for non-use of the labor of minors" has been approved and is being introduced into life today [9].

Fourth, in accordance with the law of the Republic of Uzbekistan dated December 24, 2009, № 239 of the Ministry of labor of the Republic of Uzbekistan, the minimum age for admission to work provided for by the Labor Code of the Republic of Uzbekistan has been increased from fourteen to fifteen years, that is, for the preparation of young people for Labor, – after reaching the age of fifteen, it was established that it was possible to get a job with the written consent of one of the parents or one of the parents ' substitutes.

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