

## Social and Legal Basis for Ensuring Employment of the Population in the Conditions of Modernization of Uzbekistan

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**Abstract:** This article talks about the right of every person to work, the concept of ensuring employment of the population and the responsible body that promotes employment of the population, as well as state guarantees of employment. The article also examines the experience of developed countries in providing employment to the population, highlighting the factors causing unemployment. The level of employment and unemployment of the population in modernizing Uzbekistan, trends in their changes and employment of the population by industry are analyzed. The article develops proposals to ensure employment of the population and reduce unemployment.

**Keywords:** population, employment, digitalization, unemployment, jobs, migrant workers, self-employment, employment, employment, labor market.

In the context of digitalization of a socially oriented market economy, the main tasks of the state are to find solutions to socio-economic problems, ensure the implementation of existing government programs, reduce poverty and improve the standard of living of the population. When implementing these priority tasks, it is important to implement effective socio-economic and organizational and legal mechanisms to ensure employment of the population. This has a direct positive impact on reducing unemployment, informal employment and poverty, especially in rural areas.

Labor relations in the Republic of Uzbekistan are legally regulated on the basis of the principles of democracy, humanity and justice and meet the requirements of the time in market relations.

The Labor Code of the Republic of Uzbekistan is the main regulatory legal document that legally regulates labor relations, as provided for in Article 42 of the Constitution of the Republic of Uzbekistan “Everyone has the right to decent work, freely choose a profession and type of activity, work in comfortable working conditions that meet safety and hygiene requirements, receive decent wages for their work without any discrimination and not below the established minimum”. Wages, as well as unemployment in the manner prescribed by law, have the right to protection” [1], established legal norms governing all relations aimed at implementing the rule according to which.

The Labor Code of the Republic of Uzbekistan is the main regulatory legal document that legally regulates labor relations, which is enshrined in Article 42 of the Constitution of the Republic of Uzbekistan “Everyone must work with dignity, freely choose a profession and type of activity, work in comfortable working conditions that meet safety and hygiene requirements, has the right to receive fair wages for his work without any discrimination and not lower than the established minimum wage, as well as the right to protection from unemployment in accordance with the law”[1], legal norms have been established that govern all relations. The Universal Declaration of Human Rights also recognizes that the right to work is one of the most important natural human rights. As stated in Article 23 of this Declaration: “Everyone has the right to work, free choice of work, just and favorable conditions of work and protection against unemployment”. [2, 34-35]

One of the most important issues is ensuring employment of the population in the context of economic modernization. Also, one of the strategic goals of the state is to provide employment to the

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unemployed population in a modernizing Uzbekistan, to help them create a permanent source of income, especially in training unemployed youth and women in professions and entrepreneurship, as well as ensuring their employment. Because the existence of the problem of unemployment is an integral feature of a market economy. As the President of the Republic of Uzbekistan Sh. Mirziyoyev rightly noted: “Ensuring the entry of the new Uzbekistan into the ranks of developed, socially and economically stable democratic countries of the world with high human capital is the content and essence of our sustainable development strategy”.

Ensuring full employment and creating decent jobs for all will be our continued priority. It will also remain important for us to raise the level of employment to a new level, ensure employment of the population by supporting family entrepreneurship, subsidiary farming and private business, and increase the income of citizens’ family budgets [3, 202-209]. Therefore, the development of measures related to the expansion of the country’s production and further improvement of the standard of living of the population by increasing employment is one of the urgent tasks of our time. In this regard, the President of the Republic of Uzbekistan Sh. Mirziyoyev, in his speech at an extended meeting of the Cabinet of Ministers, dedicated to the main results of the socio-economic development of our country in 2016 and the most important priorities in the economic program for 2017, emphasized the following: “it is necessary to clearly define your future place of work, wages and social conditions” [4].

After gaining independence and the transition to a market economy, the task of creating a labor market became urgent, which is associated with the use of labor resources and the transformation of labor into an asset that has its own value, which can be bought and sold. Due to the fact that market relations place strict demands on the consequences of labor and the quality of the workforce, the most urgent task has become a radical revision of legislative documents on the right to work and its implementation, as well as carrying out deep reforms in this area. The creation of a legal framework that allows us to quickly get rid of the sense of dependence and irresponsibility inherent in our blood under socialism, and that can provide social and legal protection to a population in need of social protection, with whom it is difficult to compete in the labor market, was harmful. This task was fulfilled by the recently adopted Law of the Republic of Uzbekistan “On Employment” and the Labor Code of the Republic of Uzbekistan.

As stated in Article 94 of the Labor Code of the Republic of Uzbekistan, “Everyone has the absolute right to use their productive and creative labor abilities and engage in any activity not prohibited by law”.

Everyone has the right to freely choose a place of work by contacting the employer directly or through free support from labor authorities, as well as through the services of private employment agencies [5]. No one has the right to be forced to work in conditions that are inconvenient for a citizen, to discriminate, or to provide illegal benefits in the exercise of the right to work.

Unemployed are able-bodied persons aged from sixteen years to retirement age, who do not have a paid job or paid occupation, who are looking for work and are ready to take it if they are offered a job, or are ready to undergo vocational training, retraining or advanced training (except for those studying in educational institutions).

For example, unemployed persons are those who have applied to local labor authorities for help in finding a job and have been registered by them as job seekers.

According to Article 2 of the Law of the Republic of Uzbekistan “On Employment of the Population”, “Employment is the activity of citizens that does not contradict the law, is related to the satisfaction of their personal and social needs, and brings them wages (labor income)”. Citizens have the exclusive right to dispose of their abilities for productive and creative work and to engage in any activity not prohibited by law, including activities not related to paid work.

Providing employment to the population is one of the most important aspects of the social development of mankind and reveals ways to solve problems of labor supply and demand. Labor and



employment are socio-economic relations in which people engage in socially useful work, regardless of where they work. Labor and employment relations are a socio-economic indicator showing how many and to what extent able-bodied people participate in socially useful work.

Employment is a unique phenomenon that manifests itself in different forms and forms characteristic of each stage of social development. As stated in Article 95 of the Labor Code of the Republic of Uzbekistan: state guarantees of employment. State: freedom to choose the type of employment, including work in various work modes; protection from illegal refusal to hire, illegal transfer to another job, dismissal of an employee and termination of an employment contract; free assistance in choosing a suitable job and finding employment; that equal opportunities are created for everyone in acquiring a profession and getting a job, in working and employment conditions, in remuneration, in moving up the career ladder; provide assistance to job seekers and the unemployed in vocational training, retraining and advanced training; compensation for expenses incurred in connection with a voluntary move to another place of work at the suggestion of labor authorities; guarantees the opportunity to participate in paid public works.[5]. The procedure for providing employment guarantees is determined by labor legislation.

Promotion of employment of the population is mainly carried out by the Ministry of Employment and Labor Relations of the Republic of Uzbekistan and its bodies located in administrative units. The main task of the ministry is to develop a state order for the creation of new jobs, implement regional and sectoral programs to ensure employment of the population, coordinate measures to ensure employment of graduates of family and secondary special education, vocational educational institutions, etc.

Methods of ensuring employment of the population and influencing it include: – indirect (administrative) methods: regulation by law; – labor legislation, collective agreements; – direct (economic) methods: financial, monetary, fiscal (treasury) policy. Ways of influence of the state on employment of the population: passive influence - social assistance to the unemployed population; active influence - measures to stimulate labor supply, stimulate demand for labor, coordinate supply and demand [6].

The main goal of state policy to ensure employment of the population is the formation and development of the labor market, ensuring the protection of segments of the population in need of social protection in the conditions of competition that has begun to operate in this area. Services related to providing employment to the population are provided by employment services free of charge.

In conclusion, it should be said that we are faced with such an important task as taking the necessary measures to ensure employment and reduce unemployment. This can be achieved only if the population is employed, various forms of ownership are developed, free choice of place of residence and work is available, employment guarantees are available in accordance with labor legislation, and taxes on labor income are reduced. The development of our work in this direction is also hampered by the lack of departmental information systems, electronic resources and databases related to improving the social sphere and reforms in this direction. The lack of permanent jobs in the labor market in many regions of our country and at the same time the lack of full employment of youth, women and members of low-income families reduces the effectiveness of reforms in the social sphere. Employment of the population is regulated by the state based on the implementation of socio-economic, organizational and legal measures. The current new stage of development of Uzbekistan requires a radical change in approaches in this regard.

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