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THE RIGHT TO WORK OF CITIZENS AND THE PROCEDURE FOR IMPLEMENTING THE EMPLOYMENT CONTRACT

Annotation

The article provides information about citizens' rights to work, the freedom to choose an occupation or type of activity, the right to work under fair conditions, the right to rest, as well as the employment contract.

Keywords

Right to work, freedom to choose an occupation or type of activity, labor relations, employer, employee, employment contract, conclusion of the employment contract.

Labor relations form the core of socio-economic relations and play a special role in ensuring the development of society and the state, as well as the material well-being of citizens.

The First President of Uzbekistan, **Islam Karimov**, emphasized this in his book "Uzbekistan is a State with a Great Future", stating: "Our people need not empty promises but concrete plans. It can be said with confidence that the laws and decrees we have adopted express real opportunities and achievable plans. If we compare our lives with those of other former Soviet republics—today's new independent states—we can see that our people, avoiding unnecessary rallies and pomp, are engaged in peaceful, creative activity step by step. The worker is at the machine, the farmer in the field, the doctor in the hospital, the teacher in the classroom—in short, everyone is doing their job. The visible, joyful results of this labor are incomparable."

Therefore, studying and analyzing labor relations is of great importance. The concept of **labor law** has two meanings. First, it refers to a set of legal norms regulating specific relations (labor relations), making it a separate branch of law. Second, labor law denotes an individual's **right to work**. According to **Article 37 of the Constitution of the Republic of Uzbekistan**, the right to work is one of the fundamental rights of every person. It stipulates that every person has the right to work and to freely choose their occupation. The state guarantees this right by creating

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fair and favorable working conditions and protecting citizens against unemployment. Wages are paid in proportion to the quantity and quality of work performed, as provided by law. No one may be forced to work except in cases provided by law. The labor rights of minors are subject to special protection. Their working hours are reduced, and they are prohibited from being employed in heavy or hazardous work. In the **new Constitution** as well, the right to work is guaranteed. **Article 42** states:

"Everyone has the right to work in conditions worthy of human dignity, to freely choose their occupation and type of activity, to work in safe and hygienic conditions, to receive fair remuneration without any discrimination and not less than the legally established minimum, and to be protected against unemployment in the manner prescribed by law.

The minimum wage shall be determined taking into account the need to ensure a decent standard of living.

It is prohibited to refuse employment, dismiss from work, or reduce the wages of women because of pregnancy or the presence of a child."

From this, it is evident that in our country, the right to freely choose a profession or activity, to work under fair conditions, and to ensure gender equality in the exercise of the right to work are all legally guaranteed and protected.

When studying labor relations, it is essential to focus specifically on the **employment contract**.

According to the **Labor Code of the Republic of Uzbekistan**, an employment contract is an agreement between an employee and an employer under which the employee undertakes to perform work in a specific occupation, specialty, or position, subject to internal labor regulations, in exchange for remuneration, in accordance with the laws and other normative legal acts governing labor.

In essence, the employment contract has multiple aspects:

- **First**, it is a form of exercising citizens' right to work;
- **Second**, it is the legal basis that gives rise to labor relations and ensures their existence over a certain period;
- **Third**, it serves as an institution of labor law.

Moreover, the employment contract comprises a set of rules concerning the hiring of employees, their transfer to other positions, and their dismissal.

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When concluding an employment contract, the level of labor rights and guarantees established by law and other normative acts **cannot be reduced** for the employee. The employment contract must be **in written form**. It is drawn up in **at least two identical copies**, each having equal legal force, and one copy is given to each party for safekeeping.

The employment contract is signed by both the employee and the authorized official of the enterprise, institution, or organization empowered to hire employees. The date of signing and the period of validity must be indicated. Such signatures confirm the authenticity and authority of the parties.

The date of the contract must be specified, and the employer's signature is certified by the **official seal** (if there is no official seal, another seal may be used to confirm the authenticity and authority of the signature).

As stipulated in the relevant guidelines, at the employee's request, the employment contract may be drawn up in a language the employee understands and shall have the same legal force as the one prepared in the state language.

An employment contract concluded with an employee serves as the **basis for issuing an order on employment**.

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