



## NEW LABOR CODE TIME REQUIREMENT!

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<b>Received:</b> November 10 <sup>th</sup> 2022 <b>Accepted:</b> December 11 <sup>th</sup> 2022 <b>Published:</b> January 18 <sup>th</sup> 2023	In this article, the Labor Code of the Republic of Uzbekistan and the newly revised Labor Code, the difference between the two, and the fact that the new Labor Code is the need of the hour are explained.
<b>Keywords:</b> Labor Code, labor relations, law, norms, employer and employee, right, civil courts.	

In recent years, there has been a need to regulate labor relations due to the presence of a number of positive changes in the economic and social spheres in our Republic, the development of entrepreneurship, the gradual improvement of the sphere of self-employment of the population.

In this regard, a new edition of the Labor Code of the Republic of Uzbekistan was put up for public discussion and a number of proposals and comments were expressed.

The law of the Republic of Uzbekistan dated October 28, 2022 No. 798 "On the approval of the Labor Code of the Republic of Uzbekistan" was established when the new edition of the labor code was approved and the entry into force six months after the date of the official publication of this law.

It should be noted that the Labor Code in the new edition consists of Section 7, Chapter 34 and Article 581 (the current labor code consists of Article 294), a number of amendments and additions, as well as new norms.

In particular, article 100 of the current Labor Code establishes that an employment contract can be terminated on the initiative of the employer in the presence of an employee's retirement age, the right to receive a state pension of age in accordance with the legislation [1], according to the Labor Code of the new edition, the basis of termination of the employment contract according[2]. This in turn protects the rights of an employee who has reached retirement age to continue labor relations.

In particular, the civil courts have also seen many disputes about the unlawful finding and restoring the employer's orders to terminate an employment contract on the initiative of the employer in connection with the employee's retirement age, which in turn indicates that employees who have reached retirement age have a desire to continue their employment relationship.

In addition, in the Labor Code of the new edition, on disputes about recovery from work on the consideration of an individual labor dispute - three

months (now one month) from the date of submission of an extract from the employer's order to the employee on the termination of the employment contract with him, on disputes on compensation for material damage caused to the - a procedure has been established for the employee to go to court within six months (currently three months) from the date they know or need to know about the violation of his right[3]. These changes, in turn, are also important in applying to the court in the event of an employee's labor dispute and restoring his rights.

Also, according to the Labor Code in the new edition, non-working holiday days are set, and in the event that the weekend falls on the non-working holiday day, the day off is set to be moved to the working day after the holiday [4].

If the current Labor Code provides for the provision of annual basic leave to employees with a period of not less than fifteen working days [5], the labor code in the new edition established that the duration of the annual basic minimum labor leave is twenty-one calendar days [6].

In the current labor code, it is established that the amount of severance pay cannot be less than the average monthly wage [7], according to the Labor Code of the new edition, the amount of severance pay may depend on the length of service at this employer, and for employees who have work experience for up to three years-from fifty percent of the - it was established that from one hundred percent of the average monthly salary, for employees with work experience from ten to fifteen years - from one hundred and fifty percent of the average monthly salary, for employees with work experience of more than fifteen years - the average monthly salary cannot be less than two hundred percent [8].

The Labor Code of the new edition included a number of new norms, including such norms as the invalidity of the terms of the collective agreement, the invalidity of the terms of the employment contract, the concept of service verification, and regulated labor relations in this area.



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Also, some of the problems currently encountered in practice regarding the employment relationship of people of certain professions, including cashiers, seasonal workers, employees working in microenterprises, persons employed in temporary work, persons hired in individual entrepreneurs, remote employees, are also legally regulated by the Labor Code of the new edition.

In place of the conclusion, the Labor Code in the new edition regulates citizens carrying out labor activities in all areas, labor relations between the employer and the employee, and social relations directly related to them.

#### **REFERENCES:**

1. Labor Code of the Republic of Uzbekistan (December 21, 1995).
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