
LABOR LEGAL RELATIONS

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Abstract:	Keywords
Labor law norms as a field of law are implemented in specific labor legal relations. In the implementation of these norms, many procedural legal relations arise. Labor relations are studied in legal literature, and unified labor procedural relations are also studied as a theoretical abstraction. Because labor procedural relations consist of many individual types, for example: legal relations on the resolution of individual labor disputes; legal relations on the resolution of collective labor disputes in various bodies; various types of legal relations related to labor protection and safety of workers in production; legal relations related to the unlawful withholding of employees' wages; legal relations related to the deprivation of bonuses and awards and labor disputes arising from them; legal relations related to the application and removal of disciplinary sanctions; legal relations related to reinstatement in case of unjustified transfer to another job and to another place; legal relations related to the reinstatement of employees unjustly dismissed at the initiative of the employer, etc.	

Introduction

Legal relations are social volitional relations regulated by legal norms. Through legal relations in society, communication is established between its participants who have the corresponding rights and obligations. Legal relations have a specific nature, which consists in the emergence of rights for certain persons (authorized persons), that is, the opening of the possibility of acting in a certain way (subjective right), provided for by legal norms and provided by the state, and at the same time, the imposition of obligations on other persons, that is, the need for certain actions established by the state.

S.S. Alekseev defines legal relations as follows: "...This is an individualized social connection between individuals arising on the basis of socialist legal norms, characterized by the presence of subjective legal rights and obligations and supported (guaranteed) by the coercive power of the socialist state."

Legal relations and legal norms represent an inseparable whole, just as there is no legal relationship without a legal norm, so a legal norm cannot be implemented in any other way than through legal relations. F. Kechekyan showed that "Legal relations are legal norms in their action, in their implementation."

Labor legislation and labor relations norms are in the same indissoluble unity and

interaction. Labor relations are social volitional relations in which their participants act as carriers of rights and legal obligations. The specificity of labor relations is expressed in the subjective rights of employees and the legal obligations of employers, as well as in other bodies that resolve individual and collective labor disputes, manifested in a special form of relations between their participants. Labor relations individualize the general provisions of labor standards, introduce the necessary clarity into the circle of subjects of these legal relations, and give them specific subjective rights and obligations. In any labor relations, the subjective right of a particular employee of a particular institution corresponds to the legal obligation of both the employer and other bodies that protect the labor rights and freedoms of employees and resolve their individual and collective labor disputes. This obligation is the type and scope of the obligation established by law.

Labor relations, like any other area of law, arise, change and terminate on the basis of certain actions. The general conditions for the emergence, change and termination of labor relations include the norms of labor law as an independent branch of law, which strengthen the right of employees to protect their labor rights and freedoms arising from the conclusion of an employment contract and an employment contract with this institution. As is known, the norms of labor law ensure not only the right of citizens to work, but also the right to choose a profession, qualification and position.

The constitutional labor right, which is implemented in specific labor relations, becomes the subjective right of a specific employee. It is this right that is protected by law. Along with the labor right, which is implemented in specific labor relations, employees are included in the list of employees of this institution after the conclusion of an employment contract or employment contract and are integrated into its workforce. In this case, employees have the right to demand from the employer strict observance of their labor rights and freedoms. In the event of a violation of these rights and freedoms by the employer, the employee has the right to apply to the appropriate body or court for protection of violated labor rights. Thus, all rights and obligations enshrined in the Constitution of the Republic and current legislation constitute the legal status of a citizen of the republic. If we take any constitutional right or obligation, they represent an element (part) of the legal status of a citizen of the republic.

There is no single point of view in legal literature on the content of legal status. Some authors include legal capacity in its content; others - legal capacity of legal entities (legal capacity and capacity to act); rights and obligations that are elements of legal capacity (fundamental rights and obligations of citizens, powers of state bodies); subjective rights and obligations acquired by legal entities in the presence of legal facts provided for by legal norms. Others believe that legal status is a complex phenomenon that, in addition to rights and obligations, includes the institution of citizenship, the legal capacity of citizens, principles and socio-political, legal and ideological guarantees. V.A. Mitskevich believes that the legal status of a citizen consists of his legal capacity (general rights) and the rights and obligations that he exercises in a way that differs from the exercise of legal capacity. Legal status is, in fact, a set of specific rights and obligations enshrined in the norms of

current law, which determine the boundaries of possible and correct actions common to all persons with certain characteristics. A citizen may have certain subjective rights and obligations in the event of the occurrence of relevant legal facts within the framework of the rights and obligations established by the norms of law. But for this he must have legal capacity. Thus, legal capacity is the ability to have rights and obligations recognized by law, the ability to act on the basis of legal norms. Therefore, G.V. Maltsev correctly concludes that the content of legal capacity is not the rights and obligations themselves, but the ability to have rights and obligations (legal capabilities).

In our opinion, it is impossible to include all types of guarantees for the implementation of citizenship, legal principles, rights and obligations in the content of legal status, since these legal institutions do not exist.

Subjects of labor relations. In the exercise of the right of employees to protect their labor rights and freedoms, specific labor relations that arise on the basis of legal facts not only determine the scope of its subjects, but also indicate the boundaries of their specific behavior. Like any other legal relationship, labor relations come into play only when there are at least two subjects who have rights, assume obligations and participate in these legal relations. Such subjects in labor relations are always, on the one hand, employees who have exercised their right to work in certain labor relations in institutions of various forms of ownership. On the other hand, the subjects of labor substantive legal relations are: legal entities and individuals who are legally entitled to conclude and terminate an employment contract with an employee. All of the above subjects are allowed to hire other citizens as employees. According to the Labor Code, it is allowed to conclude an employment contract with persons who have reached the age of 16. With the written consent of one of the parents (adoptive parent, guardian), an employment contract may be concluded with a person who has reached the age of 15 to perform light work that does not harm his or her health and does not disrupt the educational process.

At the same time as exercising the right to work in a specific labor relationship, citizens are included in the list of employees of this institution and work as subjects of the relevant labor relationship. From this moment on, they are granted labor capacity and legal capacity. In addition to those listed above, the following may also be subjects of labor relations:

- employment and placement bodies;
- labor collectives of employees;
- trade union bodies, their joint bodies or other bodies authorized by employees working under employers;
- relevant trade unions, their associations, employers and their associations, social partners at the republican, sectoral and territorial levels represented by state bodies;
- law enforcement and conciliation bodies - labor dispute commissions, courts, conciliation commissions, labor arbitration, labor protection and labor legislation control and supervision bodies.

Objects of labor relations. The issue of the object of labor relations is one of the unexplored issues in legal literature. According to some authors, the object of legal relations can be

only the actions of obligated persons, according to others - not only the actions of such persons, but also things. In other words, the objects of legal relations can be of a property and non-property nature. According to others, the objects of legal relations, in addition to actions and things, can be the personal interests of a person - health, freedom, honor and dignity, as well as products of spiritual creativity.

When analyzing the objects of labor relations, it should be borne in mind that in certain legal relations, employees exercise their subjective right to labor and the right to protection of various labor rights and freedoms. Therefore, each such legal relationship has not only its content, but also a specific object. The subjective right of employees is essentially a measure of the possible behavior of the employee, characterizing his legal status, and one can speak of the object of subjective right in the sense of its subject of influence.

The content of labor legal relations. Labor legal relations have the same content and essence as other legal relations. The content of these relations is formed by the subjective rights and obligations of the participants in labor legal relations. For example, Article 21 of the Labor Code provides for a number of rights of employees, according to which an employee has the following rights:

- to conclude, amend and terminate an employment contract in accordance with the procedure and conditions established by this Code and other laws;
- to be provided by the employer with work stipulated in the employment contract;
- to have a workplace that meets labor protection requirements;
- to receive wages on time and in full, in accordance with his qualifications, the complexity of the work, the quantity and quality of the work performed;
- rest, provided by setting limits on the duration of working hours, reduced working hours for certain professions and categories of employees, weekly rest days, non-working holidays, as well as annual labor holidays;
- to have working conditions that meet safety and hygiene requirements, as well as to receive complete and reliable information about working conditions and labor protection requirements at the workplace;
- to receive professional training, retraining and advanced training in accordance with labor legislation, other legal acts on labor, and the employment contract;
- to join trade unions and other organizations to express and protect their labor rights, freedoms and legitimate interests;
- to receive information about collective agreements and a collective contract, as well as the implementation of their terms, including through their representatives;
- to receive compensation for material damage caused to the employee in connection with the performance of his labor duties and moral damage in accordance with the procedure established by labor legislation;
- to protect their labor rights, freedoms and legitimate interests by all means not prohibited by law;
- to resolve labor disputes in accordance with the procedure established by this Code and other laws.

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