

IMPROVING WORKING CONDITIONS IN THE TRADE UNION SYSTEM

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Abstract: *Strengthening labor inspection is critical to ensuring high health and safety standards. In many countries, labor inspectorates are becoming a catalyst for many of the processes taking place in government structures, as well as for social partners when it is necessary to create a sustainable tripartite culture of relations. The consequences of globalization will change the role of labor inspection. Developing an integrated one-plant-one inspector approach to labor inspectorate and health and safety management (OSH) and social dialogue systems would mean more impressive and efficient services, making the best use of available resources and meeting the needs of the future. This article analyzes national legislation regarding labor inspection and compliance with international labor standards.*

Keywords: *occupational safety and health, labor protection, industrial accident, working conditions, injuries, occupational disease, ILO, Convention, subsidiary labor, labor inspection.*

INTRODUCTION. The freedom of Association in Uzbekistan is guaranteed by the Constitution, under which trade unions express and protect the socio-economic rights and interests of employees.

The Federation of Trade Unions of Uzbekistan unites 14 industrial trade unions, 14 territorial associations of trade union organizations with more than 5 million members.

Legal bases of trade unions laid down in the Labour code, include the following laws: "Public associations in the Republic of Uzbekistan", "Professional unions, their rights and guarantees of their activities", "Labour protection", "Non-Governmental Non-Profit Organizations", "Guarantees of activity of Non-Governmental Non-profit Organizations".

These laws establish the rights of trade unions, their associations, primary trade union organizations and their bodies to conduct collective negotiations and conclude collective contracts and agreements on behalf of employees.

These important legal norms are usually established in The Trade Union Charters and regulations on primary trade union organizations.

For trade unions, the issues of safety and security of working conditions have always been and remain one of the main tasks. Aims:

organization of the Occupational Safety and Health System (OSH), participation in its operation and development;

ensuring public oversight on OSH in accordance with the procedure established by law;

detection of violations containing the requirements of legislation on OSH and taking measures to eliminate them;

providing synthesis and data analysis on the violations of legal requirements according OSH;
providing practical assistance in the organization of work and the implementation activities of
Commissioner and the Occupational Safety and Health Commissions in enterprises, organizations
and institutions;

participating in the examination of collective contracts and agreements;

clarification requirements of legislative acts on providing employees with safe working
conditions, safety and security of their work.

The development and strengthening of social partnership is crucial for solving problems in the
field of labour protection.

The country has a General agreement between the Cabinet of Ministers of the Republic of
Uzbekistan, the Council of Federation of Trade Unions of Uzbekistan, and Uzbekistan Chamber of
Commerce and Industry on socio-economic issues for 2017-2019, which contains a direct instruction
on the commitment of the parties to comply with the fundamental ILO conventions.

On the basis of the General Agreement, 100 sectoral and 14 territorial contracts have been
concluded and are enforced in the Republic, and more than 170 thousand collective agreements have
been signed directly with enterprises, organizations and institutions.

All collective agreements specify such elements of proper working conditions such as
promotion of official employment, decent pay, protection and safety at work, legal and social
protection of employees, corporate benefits for women and the youth, compliance with ILO
conventions, and others.

The General Agreement has a special section "Occupational Safety and Health". The Republic
of Uzbekistan has adopted and is implementing a "Program of action to improve working conditions
and safety", which involves tripartite partners and other authorities.

Trade unions effectively cooperate with State supervisory authorities. In addition to traditional
mechanisms of social partnership, the Federation of Trade Unions has put into practice the
implementation of joint events and memoranda.

Joint studies are conducted with social partners and public authorities on the state of labour
protection at enterprises and exchange information regularly.

Also, there are analyses of working conditions in the workplace such as: the state of injuries,
causes of accidents and occupational diseases at hazardous production facilities.

Trade unions in Uzbekistan have a special role in implementing the rights of employees to
healthy and safe working conditions. They are directly involved in the development of regulatory
documents on labour protection and carry out constant public supervision of their implementation.

In 2017, there were reviewed 84 normative and legal acts on protection, in 2019 this number
increased to 103, and this year to date, there are more than 30 cases.

While approving regulatory documents by Trade Unions, special attention is paid to labour
security and the protection of the social interests of workers.

There are a number of documents concerning the labour protection in the system of trade
unions, which are guided by the trade union activists:

Regulations on the occupational safety and health service in the Trade Union System;

Regulations on the occupational safety and health commission of the Committee of trade
unions;

Recommendations for planning occupational safety and health measures.

An improvement the qualifications of professionals in occupational safety and health.

Regulations on the procedure for employees' certification of occupational safety and health of
the Trade Union for the right to implement public control.

Carrying out the Republican review-competition for the best organization of public control over occupational safety and health.

Holding events dedicated to the world day of labour protection.

DISCUSSION. We have certain opportunities and legal conditions for monitoring the state security, occupational safety and health.

As an integral part of the organization's labour protection system, the labour protection commissioners monitor compliance with labour protection requirements, inform employees, participate in the work of various commissions and develop labour protection measures, and represent the elimination of violations to officials.

Public control over the state of labour protection in the Republic is carried out by 52 specialists of labour protection of territorial and sectoral trade unions (15 of them work in sectoral, 34 in territorial associations and 3 in the apparatus of the Federation of Trade Unions of Uzbekistan), more than 35 thousand representatives of trade union organizations that are committee members (commissions) of labour protection and about 40 thousand authorized persons for labour protection. This is a huge force that needs to be organized, trained and directed in the right direction. However, this is exactly what the attention and efforts of both the administration and the trade unions should be focused on.

During the implementation of public control over the state of labour protection for 6 months in 2019 (for 2018 – it was about 1,311) on 577 enterprises and organizations of the Republic, trade unions identified 2,917 (for 2018 – 6,506) shortcomings and employers were given 420 (for 2018 - 886) instructions. Of the identified violations, more than 85% (98% in 2018) of the shortcomings were eliminated with the help of trade unions.

Trade unions analyze and monitor the followings: medical examination of employees, creating of safe working conditions for women, certification of workplaces for working conditions and hazardous equipment, implementation of labour protection measures in collective agreements, etc.

In 2019, in more than 6 thousand enterprises, 866,062 employees (in 2018 – 814,268) underwent mandatory medical examinations. Certification of 30 016 (for 2018 – 41 607) jobs in 304 (for 2018 - 506) enterprises was carried out, according to their results, 70 582 (for 2018 – 70 205) employees were granted additional vacation days, 36 401 (for 2018 – 22 065) employees were given medical and preventive nutrition.

More than 62 billion som (for 2018 – 97 billion 802 million) was spent on the implementation of more than 117 thousand (for 2018 -290,485) labour protection measures, that were stipulated by collective agreements. Of these, 16 billion 055 million (for 2018-47 billion 258 million) was spent on providing employees with milk, therapeutic and preventive nutrition, sparkling water, 15 billion 570 million (for 2018 - 51 billion 038 million) on personal protection and hygiene equipment, 3 billion 015 million (for 2018-5 billion 960 million) for training, retraining and advanced training of workers in labour protection, 5 billion 069 million (for 2018 – 5 billion 127 million) on certification of workplaces on working conditions at workplaces, 26 billion 572 million som (for 2018 – 36 billion 420 million) for mandatory civil liability insurance of the employer. On average, more than 15 thousand som were spent on each employee (for 2018 – 16 thousand 900 som).

Every year, the Federation of Trade Unions of Uzbekistan organizes training courses, where the program includes topics on OSH. According to Institute for Advanced Studies of FTUU, 4,873 trade union activists have been trained since 2015 and to this day, 7,106 people have been trained by distance learning.

There are many enterprises where great attention is paid to training on safe methods and techniques of work, in the Republic of Uzbekistan employees who are employed in industries with

harmful working conditions such as noise, vibration, dust, gas, fluctuations in air temperature and high humidity are given guaranteed benefits. Employees engaged in work with adverse working conditions are provided with milk (other equivalent food products), therapeutic and preventive nutrition, carbonated water (working in hot shops), special clothing, special shoes, and other personal protection and hygiene equipment free of charge according to the established standards.

The list of such works, the rules for issuing them, the procedure and conditions for providing them are established by collective contracts and agreements.

Injuries and occupational diseases in enterprises or organizations raise trade unions' concerns about occupational safety and health.

In the duration 6 months in 2019, 82 (for 2018 - 197) industrial accidents were registered in the Republic, of which 31 (for 2018-70) resulted in a fatalities, 46 (for 2018 - 162) with a severe injuries, and 5 (for 2018 - 28) with a mild injuries. In total 33 people (71 in 2018) were killed due to industrial accidents, 54 people (179 in 2018), had severe injuries and 6 (30 in 2018) were suffered from minor injuries.

A study of the state of labour protection has been put into practice in all regions of the country and the issue is being considered in detail at the Plenary and Presidium of the Council of the Federation of Trade Unions of Uzbekistan. Appropriate decisions are made and brought to all primary trade Union organizations. Information about accidents is annually submitted to the State Adviser to the President of the Republic of Uzbekistan and for consideration by the Cabinet of Ministers of the Republic of Uzbekistan.

The main causes of industrial injuries and occupational diseases were shortcomings and irregularities of an organizational nature, over-usage of fixed assets, inefficiency or non-use of collective and individual protective equipment, shortcomings in the organization and conduct of training for workers on labour protection.

Trade Union organizations, protecting the labour rights of employees, provide legal advice to the families of employees who have been injured at work and have lost a breadwinner.

Awareness-raising activities, training seminars, and practical assistance are provided to prevent violations. Also, written offers are issued.

A lot of joint work is carried out to inform employees through practical conferences, training seminars and "round tables", through the media, etc.

Regularly articles are published on the portal <https://kasaba.uz>, National and local Newspapers, magazines, as well as, in the official publications of the trade unions "Ishonch".

To create favorable relations amongst participants in labour relations, at the initiative of the Federation of Trade Unions of Uzbekistan, a collection of normative legal acts on labour protection and safety was prepared in three volumes, as well as a manual "Labour Protection", "Decent work - the foundation of a country's well-being and development ", " Occupational Safety and Health in the system of trade unions". Publications are distributed to trade Union members.

Annual seminars, meetings and conferences dedicated to the world day of labour protection have become traditional. They are attended by labour protection specialists, trade union activists, representatives of the government and employers.

This year, the world labour protection day in Uzbekistan was given with special attention, and a number of events were organized in the system of the Federation of Trade Unions of Uzbekistan.

The events were held as a roundtable, workshop, exhibition of the best working conditions, organization of sectoral shows, awareness campaigns of health and safe work, promotion the winners on the organization of public control over the occupational safety and health, in the form of a quiz "Do you know your labour rights", debates and conversations.

A typical example of the participation of trade unions in solving issues of improving working conditions is the annual review of competitions held at enterprises of all branches of the national economy in the following categories: “Best enterprise”, “Best trade Union Committee”, “Best Commissioner for labor protection”, “Best young specialist in labor protection”, “Best industrial Republican Council of Trade Unions and Regional Association of Trade Union organizations”. Such reviews allow you to attract a wide range of workers, engineers and employees to identify and eliminate shortcomings in the organization of production and labour.

We pay special attention to the issues of creating decent working conditions for the population, factors that affect the mood of workers in the workplace, ways to manage them, as well as mechanisms for their elimination. In addition, we pay attention to further improving the legal framework for its effective work.

In order to draw global attention to improve the safety of young workers and end child labour, a joint annual campaign was launched last year under the auspices of World Day for Safety and Health at Work (28 April) and World Day Against Child Labour (12 June) under the slogan:

"Safety and health of the new generation". In 2019, the Federation of trade unions of Uzbekistan with the participation of the International labour organization (ILO) in the children's health camp "Barkamol", located in the Bostanliq District of Tashkent region, organized a festive event dedicated to the world day against child labor under the slogan "Children must not work in the fields, but realize their dreams!". This topic is intended to facilitate the transition of young people from school to work, from childhood to adulthood, in a safe and healthy environment.

A lot is being done by trade unions in matters of ensuring safe working conditions and labor protection. However, it should be noted that the expected results have not been achieved yet.

Problems remain in this area include:

- 1) Insufficient knowledge and understanding of occupational hazards and risks, as well as the need to create safe and healthy workplaces;
- 2) Lack of capacities and potential for prevention, compliance and enforcement of occupational safety standards, especially in small and medium-sized enterprises;
- 3) Insufficient and incomplete data on mortality, injuries, morbidity and its impact on sustainable development;
- 4) Inadequate legislative provisions, regulations and policies in the field of labour protection.

A real cultural shift is needed to overcome these problems, which some occupational safety experts describe as a "vicious circle of inattention."

CONCLUSION. We must achieve the following aims:

- Prevention of accidents and occupational health;
- Reducing the risks of industrial accidents and occupational health;
- Improving the quality of workplaces and working safety conditions;
- Reducing workplace fatalities;
- Increasing life expectancy and improving the health of the working population.

The trade unions represent a chain reaction in the sphere of relations of the employee, employer and the state. They transmit the views and desires of workers upwards in a two-stage process, from workers to their representatives and from them to who is making decisions about the economy and society.

The measures taken by trade unions will contribute to the comprehensive support of employees, which will ultimately have a positive impact on current working conditions.

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