

| Research Article



CHARACTERISTICS OF MINORS' LABOR ACTIVITY IN THE CONTEXT OF OCCUPATIONAL SAFETY AND HEALTH

Atabayev Kadir Kakhorovich

"Samarkand State University of Architecture and Construction,
Associate Professor of the "Labor Protection and Health Engineering"
Department, Candidate of Technical Sciences

Abstract: This article provides a scientific and theoretical analysis of the characteristics of minors' labor activity in relation to life safety. Particular attention is given to the role of minors' physical, psychological, and social development levels as significant factors in ensuring safety during the labor process. In addition, the study examines the physiological characteristics of the developing organism, factors of the working environment, and the impact of working conditions on health.

The results of the research have practical significance for creating safe working conditions in the labor activities of minors and for ensuring the protection of their life and health.

Keywords: Minors, labor activity, life safety, occupational safety and health, industrial hazards, health protection, age-related characteristics, regulatory and legal framework.



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INTRODUCTION

Occupational Safety and Health (OSH) is a scientific and practical system aimed at protecting human life and health during the labor process. It involves the identification and assessment of hazards present in the working environment, as well as the prevention and elimination of their negative consequences. Within this system, the labor activity of minors requires special attention, as individuals in this category are not yet fully formed physically, physiologically, or psychologically and therefore possess a higher level of sensitivity to occupational hazards.

For this reason, ensuring occupational safety and health in the labor activity of minors is not only a socio-legal necessity, but also an important issue that requires a set of scientifically grounded preventive measures.

Literature Review

The issue of minors' participation in labor activity is currently at the center of attention of the global community. This is because child labor is one of the global problems that directly affects human rights, education, healthy lifestyles, and the principles of social justice. The Labor Code of the Republic of Uzbekistan is the main normative legal document regulating all socio-legal relations in the field of labor. This Code comprehensively regulates the rights and obligations of subjects of labor relations, the procedure for concluding and terminating employment contracts, working time and rest periods, labor protection, and the social protection of employees.

In addition, the Labor Code is aimed at ensuring the practical implementation of the constitutional provision enshrined in Article 42 of the Constitution of the Republic of Uzbekistan, which states: "Everyone shall be guaranteed the freedom of scientific research and engineering work, as well as the right to enjoy cultural benefits.

The state shall promote the cultural, scientific and technical development of society." [1]. This legal framework defines the foundation for respecting human dignity in the sphere of labor and for organizing labor relations based on the principles of justice, equality, and social responsibility.

Research Methodology

The research methods were applied in a closely interconnected and complementary manner, which made it possible to analyze labor law norms in harmony with occupational safety and health requirements. This methodological approach enabled an in-depth scientific analysis of safety mechanisms aimed at protecting the life and health of minor employees in their labor activity, identifying existing occupational risks, and developing scientifically substantiated conclusions on improved measures aimed at minimizing these risks.

Analysis and Results

In our country, systematic and consistent efforts are being implemented to protect the rights and legitimate interests of young people, especially children, to preserve their health, and to expand access to medical services. The fact that “the forces, potential, funds, and other necessary resources of the state and society are increasingly, consistently, and systematically directed toward educating the youth of Uzbekistan to be intellectually, physically, and spiritually developed is not accidental. Today, young people under the age of 30 number more than 19 million 600 thousand, accounting for 55.6 percent of the total population. Considering that an average of 600 thousand young people enter the labor market every year, it is projected that within the next 10 years this figure will reach 1 million” [3], demonstrates the necessity of further improving effective legal mechanisms in this field.

In this regard, at the international level, the conventions adopted by the International Labour Organization (ILO)—Convention No. 138 “Minimum Age” [4] and Convention No. 182 “On the Prohibition and Elimination of the Worst Forms of Child Labour” [5]—constitute the fundamental legal framework in this field. These conventions require States to strictly prohibit the employment of children in forced or hazardous work and to ensure their protection from labor exploitation. In addition, the United Nations Convention on the Rights of the Child establishes strict legal standards against the exploitation of children for economic gain.

The Republic of Uzbekistan has also implemented these international norms into its national legislation. The Labor Code of the Republic of Uzbekistan separately regulates the labor rights of minors, the requirements imposed on their working conditions, working hours, rest periods, and occupational safety. In particular, the new edition of the Labor Code adopted in 2022 introduced strict restrictions against any form of child labor. At the same time, as a State that has ratified almost all ILO conventions, Uzbekistan is implementing national programs aimed at eliminating child labor.

In particular, Resolution No. 290 of the Cabinet of Ministers of the Republic of Uzbekistan dated July 14, 2023, “On the approval of a list of hazardous and harmful jobs prohibited for persons under the age of eighteen” [6], was adopted. This resolution is aimed at protecting the labor rights of minors, preventing labor activities harmful to their health, and strengthening legal mechanisms against the illegal use of child labor.

In accordance with Article 412 of the Labor Code of the Republic of Uzbekistan, the types of work in which the employment of persons under eighteen years of age is prohibited are clearly defined. This provision strictly prohibits the use of minors’ labor in heavy work and in work with harmful or hazardous working conditions that may cause harm to their health, physical and mental development, or fail to ensure safe labor activity. It is established that “the employment of persons under eighteen years of age in work with harmful and (or) hazardous working conditions, underground work, as well as in work whose performance may cause harm to their life, health, safety, or moral development (including work in night cafés and clubs; the production, transportation, and sale of alcoholic beverages, tobacco products, narcotic and psychotropic substances, toxic preparations, and others) is prohibited” [7].

Furthermore, employees under eighteen years of age are not permitted to lift or carry loads exceeding the established permissible norms. Since such activities may have a negative impact on their physical health, they are strictly prohibited under current labor legislation. These rules are legally reinforced by the provision that “the list of work in which the employment of persons under eighteen years of age is prohibited and whose performance may harm the health and moral development of minors, as well as the maximum permissible norms for lifting and carrying heavy loads by them, shall be approved by the Ministry of Poverty Reduction and Employment of the Republic of Uzbekistan and the Ministry of Health of the Republic of Uzbekistan in agreement with the Tripartite Republican Commission on Social and Labor Issues” [7].

As an exception to the general rule, the legal capacity of employees in matters arising from labor legal relations begins at the age of fifteen. According to Article 118 of the Labor Code of the Republic of Uzbekistan, the labor legal capacity of employees generally begins at the age of sixteen. However, a person who has reached the age of fifteen has the right to conclude an employment contract and engage in labor activity with the consent of one of the parents or the guardianship and trusteeship authority.

In accordance with Article 42 of the Civil Procedure Code of the Republic of Uzbekistan, “Civil procedural capacity to act. The ability to exercise their rights and duties in court belongs to citizens who have reached the age of majority and to organizations.

Protection of the rights and legally protected interests of minors, i.e., citizens protected by the law aged from fourteen up to eighteen years, as well as citizens recognized as having limited legal capacity, shall be pursued in court by their parents, adoptive parents, or guardians. This shall not, however, deprive minors and citizens recognized as having limited legal capacity of the right to participate in such cases.” [8].

From this, it can be seen that the current legislation clearly defines the legal capacity and procedural opportunities of minors in the labor process and guarantees mechanisms for them to independently defend their rights in courts and other instances.

The unlawful employment of minors, especially in harmful or hazardous working conditions, is strictly prohibited by law. For violations of this type, Article 49 of the Code of Administrative Liability of the Republic of Uzbekistan provides that “Violating the requirements of labor and occupational safety legislation, including employing minors in work that may harm their health, safety, or morality, results in administrative fines or other administrative penalties as prescribed by law. Enhanced penalties apply when the offense involves minors or repeated violations.” [9]. This provision serves as a legal guarantee for protecting the labor rights and interests of minors, preventing their exploitation, and ensuring safe working conditions.

In recent years, Uzbekistan has established an institutional reform system aimed at eliminating child labor and ensuring the labor rights of young people, which has been positively evaluated by international experts and reputable organizations. According to the latest analysis by the U.S. Department of Labor’s Bureau of International Labor Affairs (ILAB), “In 2024, Uzbekistan made moderate advancement in efforts to eliminate the worst forms of child labor. In October, the President issued a decree removing the requirement for labor inspectors to receive approval from the Business Ombudsman prior to conducting onsite inspections at private enterprises. The Government also issued a Presidential Decree on poverty reduction that will improve access to education for children and ratified several new International Labour Organization conventions, including Convention No. 155 on Occupational Safety and Health.” [10].

Overall, the Bureau’s conclusions emphasize that reforms in Uzbekistan aimed at protecting minors in the labor sphere are generally aligned with international standards. However, to ensure their consistent implementation, it is necessary to strengthen monitoring, legal oversight, and preventive mechanisms.

In conclusion, a normative framework based on international standards has been established to legally guarantee the labor of minor employees. However, ensuring effective implementation, improving control systems, and strengthening vocational guidance programs remain pressing issues. A comprehensive set of measures in this area contributes to educating the younger generation as healthy, knowledgeable, and competitive participants in the labor market.

In conclusion

In summary, the legal regulation of the labor of minor employees is not only a mechanism for protecting their labor rights but also an important socio-legal tool that strengthens their future intellectual and economic potential. The main essence of this legal mechanism is to protect minors from exploitation in the labor process and to ensure that they work under conditions that do not harm their health, education, or personal development.

To this end, current labor legislation provides separate guarantees for minors regarding working hours, rest periods, working conditions, the procedure for concluding employment contracts, and their dismissal. As emphasized in the Constitution, “The rights of minors, persons with limited legal capacity, and elderly persons are protected by the state” [1].

However, the existence of legal norms does not guarantee their full practical implementation.

Thus, legally regulating the labor of minors is not merely about controlling labor relations but constitutes an integral part of building a democratic state based on human rights, youth policy, and social justice. Consistently improving legislation in this area and ensuring its practical implementation clearly demonstrates New Uzbekistan’s commitment to its international obligations and its attention to the interests of the younger generation.

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