

Peculiarities of Legal Regulation of Work of Employees Working Remotely

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Abstract: This article talks about the specific features of the legal regulation of the work of employees working remotely.

Key points: specific aspects of remote work, employment contract, salary, e-mail.

The performance of the labor duties specified in the labor contract is considered to be performed outside the place of the employer's location, a separate structure of the organization, a stationary workplace, territory or object under the direct or indirect control of the employer, and the issues related to the performance of this labor duty and its performance are considered. According to the law, the use of information and telecommunication networks for cooperation between the employer and the employee is remote work.

You can work remotely in the following cases:

- when hiring an employee;
- in the course of work, an employee transferred from the normal work mode to the remote work mode.

The transfer of an employee working for an employer from the usual work mode to remote work while continuing the previous job is a change in the working conditions.

It is possible to conclude a contract for a fixed or indefinite period with employees who want to work remotely.

In the event of natural or man-made disasters, industrial accidents, industrial accidents, fires, floods, earthquakes, epidemics, and other events that threaten the life or normal living conditions of the population or part of it. In some cases, at the initiative of the employer, without the consent of the employee, he can be temporarily transferred to remote work.

Employees who work remotely are also given vacations. They can work part-time. If the employee agrees with the employer, he can set a mixed mode of permanent or temporary remote work for himself. Changes to the remote work contract can be negotiated through the exchange of electronic documents.

As stated in Article 456 of the Labor Code of the Republic of Uzbekistan in an employment contract concluded with a remote worker:

- remote work schedule - the number and periodicity of working days and working hours offered to the employee in the remote working mode;

- methods of exchanging information about production tasks and their implementation between the parties;
- when a mixed mode of remote work is established, periods of work at a stationary workplace and remote work, as well as their alternating;
- if appropriate equipment and organizational equipment is necessary for the remote employee to perform his work, the procedure for providing equipment and organizational equipment to the remote employee, which the remote employee owns, or except for the cases where the parties have reached an agreement on the use of the equipment and organizational equipment that he has rented;

necessary for the regular cooperation of the employee with the employer - the obligations of the employer to carry out the repair of the equipment and organizational equipment given to the employee working remotely to perform the work duties stipulated in the employment contract;

with means of communication, including its Internet world information to ensure the use of the network;

- the terms of compensation for the damage caused to the employer due to the violation of the equipment and organizational equipment handed over to the remote worker by the employer through the fault of the employee;
- the procedure for conducting an inventory of equipment, organizational equipment, software and technical tools, communication tools, information protection tools and other tools given to a remote employee for use;
- the procedure and conditions for reimbursement of costs to the remote worker in case the remote worker uses his own equipment and organizational equipment to fulfill his work obligations;
- the procedure and conditions for reimbursement of expenses to an employee who works remotely due to the use of communication tools to fulfill his work obligations;
- the procedure for the cooperation of the remote worker and the employer through the exchange of electronic documents;
- in the event that it is not possible to perform the work stipulated in the production order within the terms specified in the employment contract, the obligation to notify the employer, indicating the reason that prevents the remote worker from performing the work on time;
- obligations of the employer and remote employee to comply with the necessary labor protection rules and safety conditions should be included.

A part-time fee is paid for the working hours independently determined by the remote worker, and in relation to it, labor is paid for work outside of work, work on weekends and non-working holidays, as well as night work. The annual basic vacation of a remote worker should not be less than 21 days. The salary of employees working remotely should not be less than the minimum amount of remuneration for work established by the law, if the employee fulfills labor norms and labor duties. The employment contract with such employees is specified in the labor code.

List of websites used

1. www.lex.uz.
2. www.legalcity.uz
3. www.constitution.uz.
4. www.pravacheloveka.uz.
5. www.norma.uz.