

**PROBLEMS OF RELATIONSHIP OF THE EMPLOYEE AND
EMPLOYER IN SMALL BUSINESS IN THE REPUBLIC OF
UZBEKISTAN**

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Abstract

In this article are discussed the problems of relationship of the employee and employer in small business in the Republic of Uzbekistan.

Keywords: small business, problems, relationship of the employee and employer in small business, motivation, entrepreneurship, market economy.

An employee, an employer (employer), trade unions, unions of entrepreneurs, and the state participate in labor relations. The relationship between employers and employees has various aspects: economic, legal, social, psychological, political, etc. Let us dwell in more detail on the economic aspects that are associated with the hiring and firing of employees, the organization of labor and its conditions, remuneration, advanced training, promotion, etc.

The development of the labor market in the Republic of Uzbekistan back in the 1990s turned out to be associated with many problems, many of which have not been resolved to this day. Currently, the following are especially relevant: low labor costs, huge income inequality (between industries, regions, social groups of people), poverty, unemployment, deep structural and interregional imbalances, underdeveloped infrastructure, mismatch between the labor market and the education market, weak trade unions, low labor mobility of workers, impunity for violating laws, general distrust (in the state, business, own citizens, etc.), social pessimism, uncontrolled immigration, "brain drain".

Most of these problems are related to the peculiarities of the institutional environment that regulates labor relations, which, in particular, include the hypertrophied role of informal institutions: traditions, customs, mores, habits of people. In all sectors of the economy of Uzbekistan (including the labor market), unwritten rules and verbal agreements very often turn out to be stronger than formal obligations fixed in laws and contracts. In the relationship between employers and employees, a formal contract often turns out to be an "unnecessary addition" to informal agreements.

Back in the 1990s, the labor market quickly acquired a very high degree of flexibility, which, it would seem, was in line with global trends. Thus, the scope of the use of non-traditional, flexible forms of employment and working hours has increased, especially in relation to temporary workers; fixed-term employment agreements have become widespread (despite legal restrictions); Secondary employment has allowed many workers to increase their incomes by self-determining the amount of time devoted to work. At the same time, the flexibility of the domestic labor market is ensured not by the flexibility of labor legislation and reasonable law enforcement practice, but by the general disregard for laws.

The peculiarity of the institutional labor market of Uzbekistan lies in the fact that rather rigid labor legislation is combined with an extremely low efficiency of the mechanism for forcing its implementation. Elements of such a mechanism can be the judiciary, supervisory bodies of executive power, trade unions, the involvement of workers in leadership, the media (forming a negative attitude towards violations of laws in the labor sphere), and the protest activity of the workers themselves. But in

Uzbekistan, such coercive mechanisms either do not work, or they operate extremely inefficiently. The parties often ignore their obligations, regardless of whether they are formalized in a written agreement or not.

The employer and employee, as the main subjects of labor relations, interact by concluding a labor agreement (labor contract), and their relations continue as or in the process of its implementation, i.e. fulfillment by the employee of his labor duties. At the same time, there is both a coincidence or even unity of interests between the employer and the employee on one issue (the success of the company, an increase in the number of orders, etc.), and their discrepancy, for example, when determining the share of proceeds that goes to staff remuneration. Therefore, there is a space for rivalry of partners in the transaction, a kind of competition in which each of the parties has its own strengths or weaknesses. But if there is competition, then we can talk about a certain level of competitiveness of those who take part in it.

The competitiveness of an employee is influenced by many factors: natural abilities; education; professional and life experience; health (physical, mental, moral); the benefits that the employee brings to the organization, labor productivity; the benefit that the employee brings to the owner or immediate supervisor; salary expectations and claims; personal qualities (industriousness, initiative, sociability, etc.); reputation (professional and personal); the ability to send a market signal to the employer about their competencies when hiring; the potential for inter-company and intra-company labor mobility; external data; age; floor; race, nationality; belonging to a particular religious denomination (sect), community; acquaintances and connections (including relatives); sexual orientation; bad habits and addictions (alcohol, drugs, smoking, gambling); the power of the union.

The competitiveness of the workplace, in turn, depends on the following factors: the economic situation of the organization (firm); the level of material remuneration (salary, bonuses, social package) offered to employees; the quality of the capital used (equipment, computers, mechanisms and machines, vehicles, etc.); working conditions (ergonomic, psychological, etc.); risk of injury; transport accessibility (distance to the place of work, costs, i.e. time and / or money that are needed in order to get to it); fame (prestige) of the organization; the status of work (workplace) - global (in society) and local (within the organization); opportunity for career growth.

The opportunities and positions of the main participants in labor relations in the Republic of Uzbekistan are not the same, although formally they are equal partners in the transaction. Unequal competitive opportunities for employees and employers are institutionalized, firstly, by labor legislation and, secondly, by the established traditions of labor relations. As for the new private sector, here, under the predominance of informal employment, the degree of personal dependence is very high. At the same time, the oral agreement of the parties is not as individual as it might seem at first glance: it is largely determined by traditions, mores and customs, which are a kind of "limiting factors" that set the boundaries of what is permitted. But these traditions, mores and customs themselves initially presuppose and allow a high degree of personal dependence and admissibility within certain limits of the subjectivity and arbitrariness of the employer. At the same time, control over the observance of the labor rights of workers by state structures and trade unions is extremely weak or does not exist at all.

The competitiveness of many workers is low, and employers naturally take advantage of this. In the labor market, especially far from the capital and in unattractive labor-intensive industries, the positions of workers in their relationships with employers look much weaker - with all the ensuing consequences.

In many private enterprises, the working day is not standardized, employees often have to work on weekends and holidays without compensation; low wages can be combined with delays in payment, with high work intensity, poor and dangerous conditions for health, and the termination of employment is not accompanied by the payment of severance pay.

In newly created private enterprises, employees usually agree to the deprivation or reduction of the duration of paid leave, the deprivation of temporary disability benefits or partial payment for it, the obligation, if necessary, to perform any work that is not part of official duties. This is often accompanied

by a verbal agreement with the employer that only a small part of the salary is officially paid, the employment relationship can be immediately terminated due to the financial difficulties of the company, the employment contract is terminated in the event of marriage or pregnancy (or the workplace in the event of childbirth is saved for one month without payment of compensation).

What can a worker oppose to all this? What protects him from dismissal and harassment? Of course, its competitiveness. But it has different aspects.

Thus, good natural abilities, deep professional knowledge and experience make an employee more productive and, therefore, more useful to the organization. The positions of the employee are strengthened thanks to diligent and conscientious work, which allows him to fully reveal his abilities, realize human capital with maximum benefit for the employer.

An important role is played by such a factor of the employee's competitiveness as the high potential of intercompany mobility, which allows him to change jobs if he wishes. This keeps the employer from being overly aggressive or unfriendly towards the employee. If the latter has nowhere to go, and the employer knows about it, then his economic and psychological situation is likely to be unenviable.

It should not be assumed that the shortcomings of the institutional environment of the labor market create problems only for workers. Employers are also not sufficiently protected, they have a lot of problems related to personnel.

First of all, it is the threat of opportunistic behavior of the employee, i.e. achieving unilateral advantages by unseemly means to the detriment of the transaction partner. For example, the threat of deceiving an employer when hiring is quite real, when an employee presents a fake work book, surrogate or fake university diplomas, hides the presence of a chronic disease, bad and dangerous habits, etc. Deception can also occur in the course of labor activity (shirking from work, poor quality of the product, using working time for oneself, abuse of one's position, etc.). The problem of theft and embezzlement is still relevant; in some cases, the danger of selling important information to competitors is a serious threat. Sometimes employees, confident in their indispensability, begin to blackmail the employer, demand higher remuneration, threatening to leave for a competitor or do other things that are dangerous for the company.

In addition to opportunistic behavior, there are objective and subjective factors that increase the employer's risks. Many of them are faced with the fact that it is not easy to fire a bad employee. An employer often takes risks by investing in the training and development of an employee who, after training, may leave the organization. There is a danger of poaching good employees from competitors. The employer is not sufficiently protected from the threat of the departure of the strongest workers abroad. The firm is often threatened by a decline in employee loyalty and commitment to the organization. Both objective and subjective reasons can lead to the loss of the company's reputation in the labor market. Labor relations in modern Uzbekistan, which were formed in the 90s, continue to develop. Despite the hypertrophied role of informal institutions, there is a gradual strengthening of formal institutions; the protection of employees, including those in small businesses, is growing, albeit at an insufficient pace.

In modern conditions, a more active, balanced and thoughtful participation of the state in the functioning of the educational market is necessary. New forms of labor relations that have emerged in recent years, such as agency work, require special attention. The development of labor relations, especially those associated with the emergence of new forms of employment, including non-standard ones, makes demands on many government structures designed to regulate economic and social processes in society.

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