
Problems of Preventing Corruption in the System of Labor Authorities

Khasanov Mukhriddin Urokboy ugli

Basic doctoral student at the Prosecutor General's Academy

Abstract: This article analyzes that significant organizational and legal reforms are being carried out in the field of combating corruption in our country. In particular, a comprehensive critical analysis of the problems of corruption in the labor bodies and the work being done to eliminate or prevent them, and examples from the practice of several foreign countries. Also accurate statistical analysis of cases of corruption crimes committed by employees of labor bodies and economic organizations in 2019-2021 is also provided. Relevant suggestions were also made based on the existing problems.

Keywords: labor agencies, fight against corruption, employment, social services.

In recent years, the country has undergone significant organizational and legal reforms in the fight against corruption. Systemic measures have been taken to raise the legal awareness and legal culture of the population, to form an intolerant attitude to corruption in society. In order to regulate these relations, more than 80 normative legal acts have been adopted.

As part of the reforms, the mechanisms for protecting the rights and interests of citizens, ensuring the transparency of public administration, public and parliamentary oversight have been improved, and the legal framework for law enforcement and the judiciary has been reformed.

“On Combating Corruption”, adopted on January 3, 2017 at the initiative of President, prompted the implementation of comprehensive measures to combat and prevent corruption in all spheres of society¹.

No. PF-60 "On the Development Strategy of New Uzbekistan for 2022-2026" dated January 28, 2022 in order to increase the effectiveness of the anti-corruption system, create a favorable business environment, In accordance with the tasks set in the Development Strategy of New Uzbekistan for 2022-2026, approved in Goal 10:

- elimination of corruption in the civil service, improvement of the legal framework for the recruitment of personnel on a competitive basis and evaluation of their effectiveness;
- introduction of the “National Rating” system for evaluating the performance of civil servants and government agencies based on the most important performance indicators (KPI);
- improving the system of professional training, material and social security of civil servants;
- formation of the National Personnel Reserve in order to prepare suitable candidates for leadership positions in local governments, ministries and departments;

¹ Uzbekistan Of the Republic “ Corruption against fight about ”g i Law No. ZRU-419 of January 3, 2017 , <https://lex.uz/docs/3088008>.

- implementation of the project "Digital Civil Service", which provides for the digitization of processes related to access to the civil service, the formation of reserves, evaluation and transition of services;

revision of requirements for working hours and labor standards in government agencies.

In order to increase the effectiveness of the anti-corruption system, create a favorable business environment at the highest level, increase the positive image of the country in the international arena, the President of the Republic of Uzbekistan on May 27, 2019 PF-5729-Performance indicators of public authorities and administration, public associations and other organizations have been developed by Decree No.

Measures are being taken to form a database on income and property declarations, create an electronic information system for their processing and verification, as well as integrate it with the databases of tax, customs, state cadastre and other relevant bodies by the National Anti-Corruption Council No. 7 on April 5, 2022 on the prevention and fight against corruption in higher education, capital construction, health, public procurement "non-corruption sector" and government agencies and organizations and local governments for 2022-2023 The "Road Maps" on the measures to be taken were approved ².

At the same time, further strategic development of the economy, improving the welfare of the people, improving the investment climate in the country require new systemic measures to ensure the effective implementation of public policy in the fight against corruption and eliminate the causes and conditions of corruption.

In the course of our research, we focused on the problems of corruption in labor bodies. Therefore, we can say that the system of the Ministry of Employment and Labor Relations contains regulations governing relations in the field of combating corruption. In particular, the Minister of Employment and Labor Relations approved the anti-corruption policy of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan on October 21, 2020, No. 195-ICH. reflects the commitment of the authorities to high ethical standards, as well as intolerance and non-tolerance of corruption offenses in the activities of employees of labor bodies.

The main objectives of the fight against corruption in the central office of the Ministry, regional and economic organizations are:

- ✓ achieving a radical eradication of corruption in labor bodies and economic organizations;
- ✓ raising the legal awareness and legal culture of the population in the field of employment and labor relations, the formation of an intolerant attitude to corruption in society;
- ✓ implementation of measures to prevent corruption in all spheres of activity of labor bodies and economic organizations;
- ✓ timely detection of corruption offenses, their elimination, elimination of their consequences, causes and conditions leading to them, ensuring the principle of inevitability of liability for corruption offenses.

The main elements of the anti-corruption system in the Ministry of Employment and Labor Relations are: the presence of key internal anti-corruption documents, "top-down approach" - a high-level leadership model, identification and assessment of corruption risks, persons and units responsible for combating corruption, anti-corruption measures to minimize identified

²<https://anticorruption.uz/uzc/item/2022/04/05/> The next meeting of the National Council for Combating Corruption took place.

corruption risks, information, communication and consulting, monitoring, control and reporting, response to offenses and prosecution, as the main areas of anti-corruption, conflict of interest management, gifts and hospitality in the work process signs, charitable and sponsorship activities, "Mystery Client" event, video recording and broadcasting of the activities of labor bodies and economic organizations, anti-corruption examination of internal documents, employees of labor bodies and economic organizations counseling is defined.

In recent years, the Ministry of Employment and Labor Relations has been taking consistent measures to radically strengthen the quality and efficiency of work, the responsibility of employees, to create the necessary conditions for their effective work.

However, the analysis shows that despite the policy of intolerance of corruption in the life of the state and society, as well as the conditions and opportunities created in the ministry system and the adopted administrative acts, corruption offenses, including crimes, continue to be committed by employees.

Despite a number of measures taken to ensure the targeted and rational use of budget funds, the ministry has not been able to completely eliminate the negative effects of such funds, such as the misappropriation of these funds.

Particular, in the 1st quarter of 2021, the Department of State Financial Control carried out control measures in the ministry system on compliance with budget discipline and targeted use of budget funds in the amount of 2.7 billion sums. UZS violations were revealed.

However, some individuals have used the technical shortcomings of the software for their own criminal purposes, embezzling budget funds.

In particular, in 2020 and the first half of this year, 8 employees of the ministry were found to have looted budget funds through the UzASBO software package .

One of the main tasks of the ministry is also the organized employment of citizens abroad and the elimination of existing problems in this area.

However, the lack of openness and transparency in this process has made some "successful" individuals a source of income by deceiving citizens and promising to send them abroad for work.

The above-mentioned cases show that the measures taken by the ministry system to prevent the commission of such crimes among employees are ineffective. lack of intolerance, lack of extensive discussion on every negative situation that has occurred, failure to identify its causes, and failure to take drastic action ³.

According to the results of the analysis, the types of corruption offenses in the system of the Ministry of Employment and Labor Relations can be classified into the following groups:

- a) robberies in the process of spending funds on the targeted and rational use of budget funds:
- engaging in entrepreneurial activities on the territory of labor institutions (rents for catering, office and computer services, publishing, additional funding activities);
 - misappropriation of funds allocated for the repair of labor facilities and construction of new buildings, falsification of tender documents for repair products, ensuring the winning of tenders by "own" companies, by transferring funds for construction materials to "familiar" enterprises (with increased prices) the process of purchasing and receiving the difference as a fee;

³ Letter of the Prosecutor General of the Republic of Uzbekistan No. 19 / 10-21-72 dated July 24, 2021.

- purchase of purchased products from enterprises founded by relatives and friends of the management at several times more expensive prices in order to update the material and technical base of labor institutions, allocate more funds for maintenance than specified.
- b) corruption offenses in the process of recruitment and employment in the ministry and agencies in the system:
 - ✓ committing corruption offenses in the selection and placement of executives in the system ;
 - ✓ appointment, dismissal, corruption in financial incentives;
 - ✓ illegal collection of money by managers from subordinates for corruption;
 - ✓ fraud and career fraud .
- c) commission of corruption offenses in the process of employment of unemployed citizens, members of low-income families:
 - ✓ corruption in the issuance of employment permits and job applications to job seekers;
 - ✓ corruption in the appointment of unemployment benefits ;
 - ✓ corruption in lending to low-income citizens;
 - ✓ corruption in the provision of outstaffing services;
 - ✓ looting of budget funds to be paid to unemployed citizens not involved in public works;
 - ✓ use of subsidies allocated to low-income families;
 - ✓ corruption in admission to vocational training centers;
 - ✓ corruption in the allocation of social benefits to low-income families.
- d) commission of corruption offenses during external labor migration:
 - corruption in the employment of persons returning from external labor migration;
 - fraud in the process of organized employment of citizens abroad ;
 - committing corruption offenses in the accreditation of private labor agencies, etc.

The Ministry of Employment and Labor Relations of the Republic of Uzbekistan, approved by the order of the head of the Presidential Administration of the Republic of Uzbekistan, outlines a total of 45 measures to combat and prevent the shadow economy and corruption in the

Roadmap for 2020-2021. control was carried out through the electronic program "anticor.ijro.uz".

Today, labor agencies operate in more than 170 countries around the world. Relatively competent authorities are divided into two main models: single-sector and multi-sectoral networks.

The single sector is the only body that deals with labor and employment. The multi-sectoral network includes areas other than labor and employment (social, health, education, etc.).

For example, the regulation of labor relations in the United States and the conduct of a unified policy in the field is carried out by the U.S. Department of Labor, established on March 4, 1903. The responsibilities of the Department of Labor today include encouraging and improving employee well-being; solving problems related to violations of labor legislation; improving working conditions; expanding beneficial employment opportunities; ensuring employment-related benefits and rights; fight against unemployment; working with

legal migrants; attracting new labor force from abroad; work to address the problems of illegal immigration, prevent illegal migration, inform and adapt illegal immigrants to the ways of working legally in the United States; acting as a liaison between workers and the government; regulation of issues related to strikes and other types of workers' protests ; in the event of strikes or other disputes with the employer and the government, to get acquainted with the demands of the workers and, if possible, to comply or compromise with them ⁴.

In the UK, the Department of Labor and Pensions (DWP) is responsible for regulating labor relations and pursuing a unified policy in the field. The Department is responsible for the UK Government's welfare, pensions and childcare policies. As the UK's largest public service department, it manages public pensions and disability, disability and health benefits for around 20 million applicants and clients. It is the second largest state department in terms of staff and the largest (£ 187 billion) organization in terms of spending ⁵. The information on the Department's official website focuses on the rights of employees and recommendations for their protection, access to justice, information or reporting of crimes and offenses, compensation for damages, types of liability and penalties ⁶.

Based on the above problems and international experience, we would like to make the following recommendations:

Firstly, the introduction of a system for identifying and assessing corruption risks in the labor system:

- ✓ formulation of risk tolerance criteria, their study, coverage of the probability of occurrence of the risk and its impact on the expected development outcomes;
- ✓ risk mitigation strategies should be based on their assessment, ie the identification of acceptable risks should be based on effective considerations.
- ✓ Secondly, to ensure the transparency of the ministry's activities and the effective implementation of the public oversight system:
- ✓ ensuring the transparency of information on the activities of the Ministry and posting on the website;
- ✓ effective implementation of the system of public control in the system of employment and labor relations , involvement of public representatives in the process of adopting regulations on the system;
- ✓ simplification of administrative procedures for public services in the system of the ministry, the transition to electronic and remote delivery of them .
- ✓ Ensuring openness and transparency of the process of organized employment of citizens abroad , the elimination of existing corruption in the industry.

Thirdly, the expenditure of budget funds in the system of the ministry and the elimination of shortcomings in the process of mutual settlements:

- development and implementation of practical measures to eliminate the causes and conditions of looting of funds and material resources, based on an in-depth analysis of cases of looting, violation of budget discipline and other abuses;
- Strengthening departmental control, prevention and monitoring of compliance with budget legislation, including the planning and implementation of cost estimates, budget

⁴<https://www.dol.gov/general/aboutdol/history> .

⁵<https://www.gov.uk/government/organisations/department-for-work-pensions> .

⁶<https://www.gov.uk/browse/justice>.

accounting, tenders and contracts.

In conclusion, it is impossible to build a democratically developed state without fully providing employment to the population and eliminating corruption in government agencies, especially in the labor market.

List of used literature:

1. The Constitution of the Republic of Uzbekistan-Tashkent: "Uzbekistan", 2018.
2. Law of the Republic of Uzbekistan "On Combating Corruption" 03.03.2017 No. ZRU-419;
3. Resolution of the President of the Republic of Uzbekistan No. PP-4472 of October 3, 2019
4. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 550 of 11.09.2022
5. <https://www.msp.gov.ua/ru/>
6. <https://www.un.org>
7. <https://www.oecd-ilibrary.org>
8. <https://likumi.lv>