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Research Article

TRAINING OF LABOR MIGRANTS IN UZBEKISTAN AND TEACHING THEM MODERN SPECIALTIES

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ABSTRACT

Information space and new technology opportunities create a new system of legal relations that provide the basis for remote fulfillment of tasks from anywhere in the world by the labor migrant without leaving their home country. Naturally, this places new legal regulation-related tasks on the state and non-governmental organizations. In the light of such a rapid development of globalization, it is impossible to avoid the reality. In these relations, which is organized on the basis of the Internet technology, the database (information) becomes the main mechanism of the virtual labor market. Any person whose work results are displayed as information can apply the right to work virtually. Digitization, international norms regulating the field of virtual labor migration and the experience of foreign countries shows that currently, the international legal norms in the field of virtual labor migration is lagging behind. The analysis of the ILO documents shows that they are limited to the protection of the rights of labor migrants who are engaged in works organized in the traditional way. They do not take into account the possibility of improving the labor of the migrants, which is organized on a virtual basis. This is an urgent issue and should be resolved by international organizations in the near future.

KEYWORDS

Migration policy, labor migration, artificial intelligence, virtual migration, IT technology, electronic online platforms.

INTRODUCTION

Understanding the phenomena of labor migration, which is linked to global socio-economic change, its patterns, and geographic variations aids in learning

about the world in which we live and aids in the development of a state's strategic plan to assure the employment of the populace. Of course, in this

situation, it is crucial to focus on the figures first. Estimates show that there were roughly 272 million foreign migrants in the world in 2019 and 281 million in 2020 (unaffected by the pandemic), representing 3.5-3.6 percent of the global population .

Experts predict that by 2050, there will be 230 million persons in the work force, or 2.6% of the world's population. However, given that the number of refugees is rising as a result of the spread of globalization and the wars occurring in some places, this prognosis cannot be relied upon.

Other data indicates that between 2010 and 2020, the number of workers who do their remote job via the internet climbed by 400% . By the beginning of 2020, 40% of businesses preferred traditional labor relations, 44% of businesses structured their labor activities in a hybrid model, and 16% of foreign companies arranged their labor activities entirely remotely .

The number of virtual employees has expanded significantly throughout the pandemic, which is not surprising given that such a high number is seen as a natural event in the era of advanced Internet technology. In such a dynamic changes in the field of work, Uzbekistan also needs to adhere to the digitization procedures.

On the Upwork report, as a result of the wide spread of virtual labor, this new form of labor was recognized as a traditional labor relations. In the report, it is estimated that by 2028, 73% of the world's companies will have organized their activities based on this form of labor relations .

The Oxford Internet Institute has compiled the Internet Labor Index (OLI), and published the list of professions engaged in virtual work in the last year.

According to this index report the largest number of employers that attract virtual workers are located in the United States (44%), Great Britain (8%), Australia (6%) and India (5%). The countries of Europe employ approximately 23% of the global virtual workforce. Workers mainly are from economically low-income countries. Most of them work in India (26%), Bangladesh (21%) and the Philippines (5%). In fact, 12 percent of such workers live in the United States.

While the Indian workforce predominates in the supply and technology development sectors (with a 55% share), the British workforce is the industry leader in accounting, finance, and business consulting services .

Today, there are online employment platforms like Fiverr, Freelancer, Upwork, Outsourcely, Guru, Peopleperhour, and Mechanical Turk that have been running successfully for a number of years and offer a new inventive approach to organize work relations . These global platforms are of multinational nature.

Today, there are more than 2,000 employment platforms operating in the world, while the number of such platforms in Europe is more than 300.

We believe that online employment platforms (online job boards) should serve two key purposes for workers. First, provide a list of occupations and requirements for workers who can arrange work virtually without leaving their home country. In the second place, include the company that engages in traditional labor activities and the employer's requirements for the employee's qualifications. This information determines how the labor migrants can organize their future and improve their skills based on the employer's requirements.

Today, the structure of labor relations in multinational corporations is distinctive in that it is entirely

digitalized, with the Internet serving as the primary platform.

While discussing the issue of establishing and defining public-private labor relations (Internet based) on computer technology, W.V. Vetter said, “Geopaphic location has nothing to do with Internet connection - even the transmission of information on the computer network of one legal jurisdiction can be connected to the border network or satellite network of another country”.

According to the results of a survey conducted by Boston Consulting Group and KRC Research (Based on Microsoft's order) among 9,000 managers and employees, 82% of participants in the survey said that the productivity of the work organized in a participatory virtual style was more productive than that of the traditional work organization. According to the participants in the survey, virtual labor is considered the most efficient way to retain a highly qualified specialist in the company .

As the President of the World Economic Forum in Davos K. Schwab noted: “Many categories of occupations, especially those that involve mechanical monotonous and precise manual labor, have already been automated. Other categories of occupations are also automated. Professions such as a lawyer, a financial analyst, a doctor, a journalist, an accountant, a stockbroker, or a librarian may be partially or fully automated long before it is predicted. Today, the following situation is developing: The fourth industrial revolution will create less employment (job places) in comparison to the previous revolutions” .

This means that in the near future, the economy of a developed countries may place less emphasis on the entrance of workers based on foreign labor migration. Japan serves as an illustration of this. Although the

country's population is aging, the government opposes the major migration (transfer) of workers to the industrial sector. The industrial sector is, nevertheless, improving the outcome beyond its prior potential. This circumstance is a clear indication of industrialization and the pervasive use of artificial intelligence (technology).

It is important to note that increased migration will increase the professional and technical knowledge of the labor force at the national and regional levels. In the past ten years, the amount of digital or ICT-based services and online communication has increased dramatically, according to the 2020 report on the digital economy .

Despite the significant level of digitalization disparity between the Republic of Uzbekistan and the Russian Federation, Turkey, the United States, and Europe, technology plays a significant role in protecting the rights of the Uzbek labor migration and providing it with employment.

In addition, there is an opportunity to improve the skills of the employees in virtual work relations. Additionally, there is a chance to explain to the immigrants the credentials and professions (skills) that the company is looking for. The employee will have the chance to advance his career and credentials in response to the company's request and deliver the necessary documentation to the employer electronically.

Virtual work relations allows the employee to take a creative approach while performing his duties and opens up new opportunities in his professional activity.

According to the job openings and salaries listed by well-known companies, Internet resources and media outlets annually provide information on the specialties that are most in demand.

Revising the special and higher education program's curriculum is vital to ensure that it complies not only with the demands of our own national businesses but also with those of the top corporations in the entire world. Uzbekistan will slip behind developed nations without this initiative.

It is necessary to stop the specialization courses (as we had before), which is not focused on teaching practical skills and modern technology, based only on memorization. It should be our national mission in the near future to revise them based on the demand of the world labor market.

Experts from Forbes and The New York Times offer a new approach to choosing a career. They believe that it is important to develop a passion for a career, that can fulfill your passion, instead of fulfilling an ambition. Therefore, in our research we shall shed some light on the occupations and fields that are expected to be most in demand by foreign labor migration (multinational companies).

All of these will allow Uzbekistan's foreign labor market to train professionals with a high intellectual level and a guaranteed high income rather than individuals who fall under the "manual worker" category. As a result, it will have a very good impact on the growth of our country's economy in the future.

On the vocational training of labor migrants, numerous regulatory documents were adopted. A drive to establish a labor market in the area is being run by the Ministry of Employment and Labor Relations. In this area, in accordance with the Resolution of the President of the Republic of Uzbekistan dated August 11, 2020, PR-4804 "On additional measures aimed to attract entrepreneurship, increase labor activity and professional training of poor and unemployed citizens, as well as ensuring employment of the population",

"Ishga maphamat" mono-centers and vocational training centers have established the practice of evaluating the professional qualification of the graduate based on the WorldSkills standard, as well as issuing the Skills passport to the graduate who successfully passed the assessment.

Moreover, from September 1, 2021 under the Presidential Resolution "It is stipulated that the Fund for the support, protection of the rights and interests of the citizens working abroad Until September 1, 2022, shall cover the expenses related to the following: paying the fee for the labor-migration qualification exam, which is registered in the "labor-migration" program, studying for a job or profession, and going to labor migration in an organized selection process; the purchase of a ticket; the issuance of a "work visa" for the implementation of labor activities in developed countries".

From January 1, 2021, the "Ishga maphamat" monocenters were established in the Republic of Uzbekistan and the surrounding area in order to train the underprivileged and unemployed youth in modern professions and entrepreneurship skills and, on this foundation, to attract the youth to work and entrepreneurship activities that bring permanent income, in order to ensure fair employment. In order to attract non-state vocational training institutions to this field, a system of special privileges and pensions was established.

The procedure of assessing student qualifications at the "Ishga Maphamat" monocenters in accordance with the WorldSkills standard and awarding the graduates with the Skills passport has been established. It is anticipated that the graduates will receive a significant benefit and compensation from the state as a result of this program. The PR-4804 from the President of the Republic of Uzbekistan dated

August 11, 2020 (available at <https://lex.uz/ru/docs/4945748>) contains more information about this.

In order to ensure the execution of this Resolution, with the resolution No. 183 of the Cabinet of Ministers (dated April 5, 2021) Regulation on “Ishga maphamat” monocenters of the Ministry of employment and labour relations was approved. Based on the characteristics of this document, we will not dwell on the opportunities and privileges created for the labor migrants under this document.

The legal document on the topic of assessing the credentials of trainees enrolled in “Ishga Maphamat” monocenters in accordance with the WorldSkills standard and the practice of awarding the Skills passport to the graduates is the most crucial issue in our research.

WorldSkills standard is a non-governmental organization that provides skills and knowledge required by the multinational companies for more than 65 professions. It represents two-thirds of the world's population in 85 member states. This organization aims to inspire and support 100 million young people to acquire necessary skills by 2030 .

Uzbekistan joined the non-profit, non-governmental Association for the Development of Professional Skills and Popularization of Skills (WorldSkills Uzbekistan) in the year 2020 .

The WorldSkills platform has more than 65 occupations and skills that have been identified by the WorldSkills platform. Today, 70% of them is professions related to computer technology. They include Digital Construction, 3D Digital Game Art, Graphic Design Technology, Cyber Security, IT Network Systems Administration, IT for Business IT Software Solutions

for Business and additional about 20 professions and skills .

The services offered for the training of employees (trainees) who intend to work temporarily abroad are outlined in paragraph 33 of the Regulation. These services include vocational training, teaching foreign languages, and the evaluation of professional qualifications in accordance with international standards. However, there is no mention of occupations and disciplines where labor migrants are needed at a higher level.

If we pay attention to the study of the researched document, the primary purpose is to train an engineer-master based on straightforward manual work, which is in high demand in the CIS state labor industry, with the unemployed people's major focus being on training them to a profession based on manual labor.

Among the task set before the “Ishga Maphamat” monocenters no attention has been paid to training of employees with high-level profession demanded by the multinational companies, specialists of computer technology, virtual labor migrants.

In our opinion, vocational training should include long-term training based on the established standards (the training period lasts from thirty to four weeks) according to requirements by virtual labor relations and multinational companies based on the established standards.

For this purpose, training in the "Ishga maphamat" monocenters itself it is not enough. First of all, it is necessary to determine the most demanding fields based on the WorldSkills standards in schools, vocational education institutions (colleges) and in higher education system. It is necessary to develop a targeted strategy for training and improving the

professional skills of talented young people in this field.

These measures will serve for labor migrants to earn a fair and high salary by training them in the next 10-15 years for the professions that will be most in demand.

In our opinion, it is necessary to revise (update) the system of training skilled labor migrants based on the WorldSkills standards and the needs of global multinational companies. For this purpose, it was proposed to improve the educational program, to increase the capacity of the curriculum developers, and to increase the task of curriculum development by involving the experts of ICT-developed countries.

The analysis of the demands imposed by the governments that import the labor migrants as well as the wide development of virtual labor migration in the next 10 years should be taken into account by educational institutions in preparing (training) the relevant personnel.

Based on the above, the following conclusions can be made:

1. When establishing virtual labor relations there a possibility of setting the terms of the contracts and sign it in virtual mode without going to another country. Therefore, it is necessary to reflect the main difference between the virtual labor relations and traditional labor relations (and the specificity of the formation) in the national legislation.

2. It is necessary to revise the system of providing qualified labor force (migrants) based on the WorldSkills standards and the needs of international companies. For this, it is necessary to increase the capacity of educational institutions, curriculum developers, and to increase the task of curriculum

development by involving the specialists of ICT-developed countries.

3. The analysis of the demand set by the governments importing the labor migration plan will lead to a wide development of the virtual labor migration in the next 10 years, which should be taken into account by the educational institutions when developing the curriculum.

REFERENCES

1. World Migration Report 2020 // [Electronic resource] - URL: <https://www.iom.int/wmr/>. - access mode is free (accessed 21.08.2021).
2. <https://blog.hubspot.com/marketing/remote-work-stats> (accessed: 06.07.2021).
3. <https://resources.owllabs.com/blog/remote-work-statistics>.
4. <https://www.techrepublic.com/article/73-of-allteams-will-have-remote-workers-in-the-next-decade/> (accessed: 06.07.2021).
5. Lehdonvirta V. Where are online workers located? The international division of digital gig work // The iLabour Project / Oxford Internet Institute [site]. 11.07.2021. URL: <https://ilabour.oii.ox.ac.uk/where-are-online-workers-located-the-international-division-of-digital-gig-work> (accessed on 15.08.2021).
6. Glushchenko G.I. Development of virtual migration in the context of digitalization // DEMIS. demographic research. 2021. V. 1. No. 2. S. 57–64. DOI: 10.19181/demis.2021.1.2.4
7. Vetter W.V. Preying on the Web: Tax Collection in the Virtual World // Florida State University Law Review. 2001. Vol. 28, № 649.
8. McKendrick J. Work from Home Fallout: Productivity Up, Innovation Down // Forbes. Magazine. 18.10.2020. URL: <https://www.forbes.com/sites/joemckendrick/>

2020/10/18/work-from-home-fallout-
productivity-up-innovation-down

9. Schwab K. The fourth industrial revolution / K. Schwab. - M.: Eksmo Publishing House, 2019. - 208 p.
10. Digital economy report 2020 – Value Creation and Capture: Implications for Developing Countries. UNCTAD. – United Nations, Geneva. – 2021.
11. <https://www.forbes.com/sites/susanobrien/2019/01/31/why-follow-your-passion-is-bad-career-advice/?sh=1214b73a42bd>
12. <https://www.nytimes.com/2019/04/21/smarter-living/why-find-your-passion-is-such-terrible-advice.html>
13. National database of legislation 31.07.2021, No. 07/21/5205/0736
14. <https://worldskills.org>

