

Mechanism of Local Regulation of Labor Relations in The General Secondary Education System

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ABSTRACT

This article examines the mechanisms of local regulation of labor relations within the general secondary education system of the Republic of Uzbekistan. It analyzes the legal framework, including the Labor Code and the Law "On Education," and explores the role of local normative documents such as collective agreements and internal labor regulations. The study provides a detailed dynamic analysis of social protection funds allocated through collective agreements between 2020 and 2025. Furthermore, it proposes a transition from authoritarian to democratic management models through enhanced social partnership, digital integration, and KPI-based evaluation systems to improve the efficiency of labor relations in schools.

Keywords: Labor relations, local regulation, general secondary education, collective agreement, social protection, pedagogical council, social partnership, KPI.

INTRODUCTION

The mechanisms for local regulation of labor relations in the general secondary education system of the Republic of Uzbekistan are implemented through internal agreements between the school administration and employees within the framework of the powers established by law. This mechanism ensures the regulation of the labor process through the practical application, adaptation and improvement of regulatory and legal requirements established at the state level at the school level.

Below is a list of the main elements of these mechanisms and the documents regulating them:

The Labor Code establishes the procedure for adopting, approving local documents and agreeing with the trade union.

The Law "On Education" determines the independence and internal management system of an educational institution.

According to the Regulation "On General Secondary Education" adopted by the Resolution of the Cabinet of

Ministers of the Republic of Uzbekistan No. 140 dated March 15, 2017, General secondary education consists of primary education, basic secondary education and secondary education, and is implemented in the form of full-time education. Also, according to Chapter 8 of the Regulation, the Ministry of Preschool and School Education of the Republic of Uzbekistan is considered a body with special authority to manage general secondary education and forms a ministerial system - the Ministry of Preschool and School Education of the Republic of Karakalpakstan, the Main Departments of Preschool and School Education of Tashkent city, regions, as well as management bodies and other organizations in the system. At the same time, management decisions and practical processes play an important role in the local regulatory mechanism. Decisions made by the head of an educational institution on the organization of labor activities, the distribution of tasks, and the evaluation and motivation of employees directly affect the effectiveness of labor relations. In this process, the fairness, transparency, and soundness of management are of great importance.

In our opinion, pedagogical councils are an important institutional mechanism for the effective management of labor relations in general education institutions. The legal, organizational, and control-evaluation pillars noted above acquire practical content precisely through the activities of pedagogical councils. In particular, in the development and improvement of local regulatory documents, the pedagogical council serves as a collective discussion forum, creating conditions for transparent and equitable decisions. We believe that decisions made through pedagogical councils serve to stabilize labor relations, create an atmosphere of trust between employees, and democratize the management process.

At the same time, pedagogical councils also play an important role in the implementation of organizational, management, and control-evaluation mechanisms. We observe that through this body, teachers' activities are analyzed, the results of internal monitoring are discussed, and efficiency is assessed based on KPI indicators. This increases team spirit and responsibility in the decision-making process. In our opinion, it is possible to further improve the efficiency of labor relations management in secondary educational institutions by increasing the activity of pedagogical councils, involving them in the development of strategic management decisions, and enriching them with digital data-based analysis.

In the effective management of secondary educational institutions, it is important to harmonize the activities of pedagogical councils with the requirements of the Labor Code, the national legal framework regulating labor relations. Because pedagogical councils serve as a forum for collective discussion and agreement in the implementation of norms such as the conclusion of labor contracts, the regime of working hours and rest periods, and the promotion and disciplinary liability of employees, as stipulated in the Labor Code. We believe that the development of local regulatory documents in accordance with the requirements of the Labor Code through pedagogical councils and control over their implementation will ensure transparency, fairness and stability in labor relations and serve to form an effective management system in an educational institution.

In particular, in accordance with Article 12 of the Labor Code, other legal documents on labor include: collective agreements, collective contracts, internal documents adopted by the employer in agreement with the trade union committee, internal documents, including individual legal

documents adopted by the employer independently within the scope of its powers.

The main purpose of the development and implementation of these documents is to ensure the social protection of pedagogical workers. Here we would like to explain the phrase "social protection". Because when we say "social protection", we mean persons with disabilities, pregnant women, children under 3 years of age women with disabilities and other employees in need of assistance come. But each person has the right to use "social protection". The above-listed categories of employees are considered to be employees in need of higher "social protection" in schools, and we try to include clauses and social guarantees in local documents, first of all, to support them. In this regard, we give the following author's definition: "Social protection" is a system of state measures aimed at ensuring human rights. Local documents in schools are instruments of social protection for all employees, including persons with disabilities.

The main documents that directly regulate labor relations in secondary schools are:

The internal labor regulations determine the working hours, rest periods, the procedure for encouraging employees and applying disciplinary sanctions.

A collective agreement is concluded between the employer and the trade union and establishes working conditions, social benefits and guarantees.

The Charter of the School determines the general basis for the organizational structure of the institution, the rights and obligations of the governing bodies and employees.

Job descriptions determine the specific labor functions and responsibilities of each employee.

Also, the Labor Code and the sectoral collective agreement serve as the basis for collective agreements concluded in general secondary schools.

That is, it is advisable to clarify the norms that are not sufficiently disclosed in the sectoral collective agreement in collective agreements.

According to our research, let's move on to explaining our thoughts on collective agreements. In accordance with Article 25 of the Labor Code of the Republic of

Uzbekistan, the employer is obliged to conclude a collective agreement. According to Article 40, a collective agreement is a legal document of social partnership in the field of labor. Collective agreements in force in general secondary schools are one of the main mechanisms for implementing social partnership in the field of labor.

According to Article 53 of the Labor Code, the term of office of commissions on social and labor issues is specified. Commissions on social and labor issues are permanent bodies. The term of office of the commissions is determined by the period of preparation of the relevant collective agreement or collective agreement and its validity. Therefore, this commission cannot be called a permanent commission. Upon the expiration of the term of the agreement, the commission's authority expires, and the composition of the commission may be re-elected or changed to work on a new collective agreement. In general, we can see that Articles 53-59 of the Labor Code relate to the powers of the commission, planning its work, and other issues.

Based on practice, we can say that when preparing a project, one should rely not only on desire, but also on specific information. In particular: A draft collective agreement should be formed based on the norms included in sectoral collective agreements, proposals from trade union members, and International Labor Organization (ILO) conventions, as well as reforms in the general secondary education system. The finished project must be examined by a higher-ranking trade union to check its compliance with the legislation.

The finished project is discussed at the General Meeting of Employees. Two situations can arise here:

if approved: the contract is signed, formalized and registered accordingly.

if a disagreement or disagreement arises: it is returned to the additional negotiation block and revised.

After the contract enters into force, it continues in two directions:

1. Implementation: Practical implementation of the agreed points.
2. Control: Constant monitoring of the quality of implementation.

This means that a collective agreement is not just a piece of paper, but an important document drawn up on the basis of negotiations, analysis and collective agreement.

A collective agreement differs from a sectoral collective agreement in that it is more specific. For example, we cannot determine the norm for determining which categories of employees in need of social protection in which school and which employees are entitled to reduced working hours with a sectoral collective agreement. Because these norms change depending on the social status of employees. An employee who has many benefits in 2025 will have their benefits canceled in 2026 when her child turns 3 years old. Therefore, in order to properly organize labor relations, we must achieve a perfect conclusion of the collective agreement. In recent years, the collective agreement has been significantly improved and its implementation is monitored.

Every year in February-March, the work carried out through collective agreements in the general secondary education system across the republic is analyzed (see Figure 2.3.4). This collected data is analytical data on the implementation of the sectoral collective agreement. It also becomes. Accounts are made for the implementation of collective agreement clauses in general secondary schools.

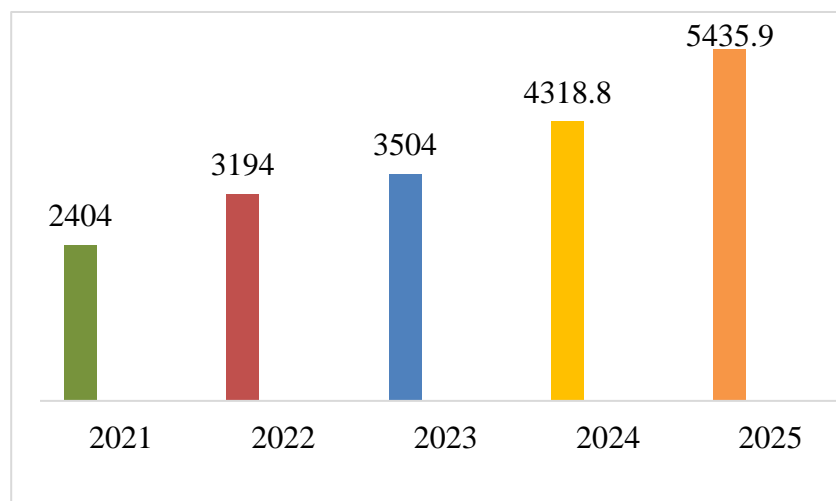


Figure 1. Average cost per employee through collective bargaining (thousands of soums)

When the total amount spent is divided by the number of employees in the organization, the average amount spent on each employee under the collective agreement is obtained.

In 2021, the amount spent on each employee was two million four hundred and four thousand soums, and by 2025 it was five million four hundred and thirty-five thousand nine hundred soums. We can see that these figures have doubled in the general secondary education system over five years.

According to the congress report of the Republican Council of the Trade Union of Education and Science Workers of Uzbekistan, the following results were achieved through collective agreements and agreements for 2020-2025:

In 2020, 802 million 907 thousand 447 soums were spent on providing one-time financial assistance to persons of retirement age before retirement and rewarding them with valuable gifts, while by the end of 2024, 1 billion 310 million 670 thousand soums were spent for these purposes.

In 2020, 734 million 449 thousand 56 soums were spent on presenting valuable gifts to employees on their anniversaries, while in 2024, 2 billion 85 million 221 thousand soums were spent.

Non-working pensioners, i.e. former employees of organizations, were provided with financial assistance in the amount of 744 million 772 thousand 725 soums in 2020, and 1 billion 197 million 9 thousand soums in 2024.

In order to provide financial assistance to persons with disabilities and those in need of care from others, 409 million 875 thousand soums were spent in 2020, and 626 million 685 thousand soums in 2024. The main reason for the lack of significant changes in the funds spent in this area is that, in connection with the formation of the National Agency for Social Protection, many organizations engaged in the social adaptation and inclusive education of children with disabilities were transferred to the service of another sectoral trade union.

Young mothers on leave for childcare for children aged two to three years were provided with financial assistance in the amount of 453 million 496 thousand soums in 2020, and 568 million 543 thousand soums in 2024.

In order to partially cover the costs of purchasing educational materials and textbooks for children from low-income families who have lost their breadwinners in network organizations, 923 million 703 thousand soums were spent in 2020, and 1 billion 489 million 915 thousand soums in 2024.

In order to introduce a working week of no more than 35 hours for women with children working in non-state-owned organizations and organizations, 109 million 234 thousand 93 soums were spent in 2020 and 256 million 485 thousand soums in 2024.

In 2020, 453 million 560 thousand soums were spent on partial payment of tuition fees for talented, low-income and truly orphaned students studying in higher educational institutions, and in 2024, 6 billion 468 million 226

thousand soums were spent.

In 2020, 256 million 800 thousand soums were spent on providing interest-free loans to young families for the construction of housing and the purchase of durable goods produced in our country, and in 2024, 1 billion 902 million 273 thousand soums were spent.

In 2020, 113 million 167 thousand 504 soums were spent on providing interest-free loans to young employees in

connection with their call-up to military service in the mobilization reserve, and in 2024, 144 million 590 thousand soums were spent.

In order to provide material assistance to representatives of low-income young families, 4 billion 630 million 998 thousand soums were spent in 2020, and 13 billion 745 million 819 thousand soums in 2024. 70 percent of these figures are employer funds (see Figure 2).



Figure 2. Dynamics of providing material assistance to representatives of young low-income families through collective agreements

From these figures, we can see that through collective agreements, employees of the general secondary education system are supported socially and economically by employers and trade unions. In a sense, these indicators can also be called a “social package” for teaching staff.

These indicators are the result of measures implemented on the basis of collective agreements in general secondary schools. During our research, a sample draft of a collective agreement for general secondary schools for 2026 was developed.

We will consider an expanded analysis of the institutional, social and economic impact of the presented collective agreement model on the school management system.

1. Strengthening the “Social Partnership” model in management. The new collective agreement provides for

the transition from the school principal's sole management to a collegial decision-making system:

Agreement on local documents: The adoption of all internal local documents of the school (internal regulations, code of conduct, etc.) only in agreement with the trade union increases the transparency of management.

Representation in the work of commissions: The inclusion of trade union representatives in the attestation, tariffication and employee incentive commissions reduces the risks of corruption in school management and strengthens the criterion of fairness.

2. Human resource management, i.e. HR management strategy. New legal instruments for working with employees are being provided for school management:

Remote and flexible work schedules: In abnormal weather

conditions or quarantine conditions, transferring employees to remote work without interrupting the educational process ensures the flexibility of management.

Social priority of retention: When reducing staff, taking into account not only the “quality of work”, but also the social status of the employee, that is, young people with mortgages, parents with contracts, serves to maintain a stable moral environment in the school.

3. Financial management and responsibility. Financial discipline for the management apparatus reaches a new level:

Economic sanctions: Delaying wages and vacation pay imposes an obligation on the school budget (or the head) to pay additional interest (penalties). This increases responsibility in planning budget funds.

A clear investment in labor protection: The fact that the contract stipulates a specific amount of funds for labor protection, for example, 20 million soums, means that the “human factor” comes to the fore in the formation of the school budget. This amount can also be set at a higher amount, depending on the agreement of the employer and the trade union committee.

4. Management of the potential of pedagogical personnel. Recruitment without initial testing: Hiring teachers who have trained winners of international olympiads or have academic degrees without initial testing serves as an “HR-marketing” tool for the school principal in attracting strong personnel.

Protection from forced labor: The prohibition of involving teachers in work unrelated to the educational process, i.e., landscaping, compulsory subscription, forces management to focus all its attention on education quality management.

5. Psychological environment and motivation system. Non-material incentives: The legal status of methods such as not only monetary rewards, but also stands, recognition on social networks, and congratulations on anniversaries forms a “corporate culture” in the school.

Labor Disputes Commission: The existence of a pre-trial dispute resolution mechanism allows vertical conflicts in management to be resolved through horizontal dialogue.

According to our research, this draft collective agreement

is the main legal document that transfers school management from an “authoritarian” style to a “democratic and socially responsible” management.

In general secondary schools, local (internal) mechanisms for regulating labor relations are implemented in accordance with the legislation through internal agreements between the school administration and employees. These mechanisms are mainly organized in three areas: local regulatory documents, organizational and management mechanisms, and control and evaluation systems. Collective agreements and internal rules of procedure are of fundamental importance in ensuring the social protection of employees and clearly defining their rights and obligations. The introduction of material funds and social packages for employees through a collective agreement ensures the social and economic support of employees. Thus, local mechanisms play a decisive role in the effective organization, control and development of personnel potential in schools.

In our opinion, the mechanism for local regulation of labor relations in the general secondary education system should ensure that the relationship between the employer (administration) and employees at the school level is legally, organizationally and socially sound.

is an important coordinating management system. According to our observations, this mechanism is manifested by clarifying and implementing general rules established by the state at the institution level.

One of the aspects that caught our attention is that the main attention in regulating labor relations in schools is paid to local regulatory documents, and the rights and obligations of employees are determined through internal labor regulations, collective agreements, job descriptions and various regulations. However, our analysis of the questionnaires and interviews shows that these documents are often formal in nature, and their implementation and monitoring are not organized effectively enough.

We also note that the management decisions of the school leadership are of decisive importance in the local regulation of labor relations. In many cases, the decision-making process relies on instructions from higher organizations, which limits local initiatives and reduces flexibility in management. At the same time, the management style of the head has a significant impact on the effectiveness of labor relations.

Having also analyzed the mechanisms of social partnership, we emphasize their high importance. Although there are opportunities to protect the interests of employees through trade unions and pedagogical councils, in many cases their activities remain formal and their influence on decision-making processes remains limited.

In our opinion, assessment and incentive mechanisms are of particular importance in the effective regulation of labor relations. However, in practice, since these systems are not fully based on specific criteria and KPI indicators or due to the human factor, subjectivity is observed in the incentive process, which negatively affects employee motivation.

We also note that although digital management elements have been introduced in recent years, the level of their effective use is still insufficient. Although data is collected through electronic systems, the issue of their analysis and integration into decision-making processes remains relevant.

Thus, according to our conclusion, a mechanism for local regulation of labor relations in the general secondary education system exists and is operating to a certain extent, but to increase its effectiveness, it is necessary to enrich local documents with practical content, strengthen social partnership, introduce an evaluation system based on KPI, and effectively use digital management tools and reduce the human factor.

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