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## ТРУДОВЫЕ ОТНОШЕНИЯ И ОБЯЗАННОСТИ РАБОТНИКОВ МЕДИЦИНСКИХ УЧРЕЖДЕНИЙ В УСЛОВИЯХ ПАНДЕМИИ В УЗБЕКИСТАНЕ

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### РЕЗЮМЕ

За прошедший период пандемии COVID-19, как и во всём мире, медицинские работники Узбекистана проявили мужество и самопожертвование в борьбе с опасным вирусом. Именно благодаря их профессионализму, а также вниманию со стороны правительства и государства в деле развития медицины, Узбекистан преодолевает трудности и потери. Вместе с тем, в период пандемии выявились слабые стороны в сфере социальной защиты населения. Как отметил первый заместитель министра занятости и трудовых отношений Эркин Мухитдинов, пандемия выявила: «не только слабые места рынка труда, но и выявила пробелы в системе социальной защиты населения, особенно среди мигрантов и неформально занятых». Условия труда в период пандемии требуют нового взгляда на трудовые отношения - отношения, основанные на соглашении между работником и работодателем о личном выполнении работником трудовой функции (работы по должности, профессии или специ-

альности либо конкретного вида поручаемой ему работы) за заработную плату, на отношения, основанные на соглашении между работником и работодателем о личном выполнении работником трудовой функции (работы по должности, профессии или специальности либо конкретного вида поручаемой ему работы) за заработную плату.

В последние годы в Узбекистане реализуется ряд практических мер по развитию системы здравоохранения. Принимаются меры по созданию необходимых условий для более чем 70 000 врачей и многочисленных медсестер, действующих в рассматриваемой сфере и обеспечению достойной оплаты их труда. Данная статья предлагает по-новому взглянуть на такие понятия, как «труд», «персонал или сотрудник», «трудовые отношения», «должностные или функциональные обязанности» а также раскрывает их значение в системе управления учреждений здравоохранения.

**Ключевые слова:** должностная инструкция, трудовой договор, функциональная обязанность, структурное подразделение, работник

## EMPLOYMENT RELATIONS AND RESPONSIBILITIES OF MEDICAL INSTITUTIONS WORKERS IN A PANDEMIC IN UZBEKISTAN

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Over the past period of the COVID-19 pandemic, as in the rest of the world, medical workers of Uzbekistan have shown courage and self-sacrifice in the fight against the dangerous virus. It is thanks to

their professionalism, as well as the attention from the government and the state in the development of medicine, that Uzbekistan overcomes difficulties and losses. At the same time, during the pandemic,

weaknesses in the field of social protection of the population were revealed. As First Deputy Minister of Employment and Labor Relations Erkin Mukhitdinov noted, the pandemic revealed: "not only the weaknesses of the labor market, but also revealed gaps in the system of social protection of the population, especially among migrants and informal workers." Working conditions during a pandemic require a new look at labor relations - a relationship based on an agreement between an employee and an employer on the employee's personal performance of a labor function (work by position, profession or specialty or a specific type of work entrusted to him) for wages, on relations based on an agreement between the employee and the employer on the employee's personal performance of the labor function (work by position, profession or specialty, or a specific type of work entrusted to him) for wages.

In recent years, Uzbekistan has been implementing a number of practical measures to develop the health care system. Measures are being taken to create the necessary conditions for more than 70,000 doctors and numerous nurses working in this area and to ensure decent pay for their work. This article offers a fresh look at concepts such as "labor", "personnel or employee", "labor relations", "job or functional responsibilities" and also reveals their meaning in the management system of health care institutions.

**Keywords:** job description, employment contract, functional responsibilities, structural unit, employee

**Introduction.** This year, 14.8 trillion sums have been allocated from the State Budget of the Republic of Uzbekistan for the healthcare system. The funds allocated from the State Budget in 2020 increased by 1.2 times compared to the previous year and by 1.6 times compared to 2018. This means that 12.2% of the total State Budget expenditures and 2.3% of GDP were spent on healthcare. In addition, 2.04 trillion sums were allocated for the construction, repair and equipping of health facilities as part of the investment program. During the pandemics, citizens of Uzbekistan working abroad were particularly vulnerable. Organized 311 charter flights have already delivered about one hundred thousand compatriots to the republic. Those who are still abroad are provided with consulting services, legal and social assistance, as well as financial support: it is planned to allocate a one-time financial assistance in the amount of \$ 40 to fellow citizens [2, 6, 7].

According to the decree, from August 20, 2020:

- special incentive payments paid to doctors, senior and secondary medical personnel, pharmacists, disinfectants and junior medical personnel and other employees (from 5 to 25 million sums) are paid once a month, taking into account the workload of at least 8 hours for each 30-day period, with the transfer to work on a daily basis;

- to the monthly official salary of medical personnel and other employees who are paid special incentive payments, daily additional payments of 6%;
- payment of funds to employees is made by transfer to bank cards.

The resolution approved a list of positions of medical workers, the service of sanitary and epidemiological welfare and public health and other employees involved in measures to prevent the spread of coronavirus infection, who are paid a daily supplement of 6%, and a list of positions for which monthly special incentive payments are made instead of a daily supplement of 6%. The calculation of the amount for compensation by the employer for damage to health caused to employees by injury, occupational disease or other damage to health related to the performance of their work duties is carried out in accordance with the Rules approved by the resolution of the Cabinet of Ministers [2, 3, 5].

Labor is a human activity aimed at creating material, spiritual and other values necessary for life and meeting the needs of a person and society. Personnel (employee) are specific individuals, part of which is their qualifications, performance of functional responsibilities and job description, and so on, which is described within the staffing table of a health care institution. Labor relations are relations between an employee and an employer that arise for the exercise of rights and obligations provided for by the labor legislation of the Republic of Uzbekistan, labor and collective agreements. Accidents that have occurred with persons held in a medical and labor institution, involved in work at the enterprise and performing work under the supervision of its administrative and technical personnel, are investigated by the employer with the participation of a representative of these institutions [1, 4, 5].

Employment relations between an employee and an employer also arise on the basis of the actual admission of an employee to work with the knowledge or on behalf of the employer or his authorized representative in the case when the employment contract was not properly drawn up or not familiar with the official or functional responsibilities duties. An individual can be employed only under a civil law or employment contract [7, 8, 10].

**Materials and methods.** Re view and analyze all regulatory documents related to labor relations in health care facilities and changes during the pandemic

**Job descriptions and functional responsibilities**

Job description is a set of actions of an employee aimed at achieving the goals of the management system and mandatory for implementation. They are established by job descriptions, regulations or charters of organizations, internal labor regulations. Conditions containing the name of the employment function are mandatory for inclusion in the employment contract.



The labor obligation of employees is a measure of necessary behavior that is required by the employer from the employee [11].

Difference between functional responsibilities and job descriptions:

Functional responsibilities and job description differ in the essence of the concepts. Functional responsibilities are considered a broad concept that is described in a general way. For example, when hiring an employee, the functional responsibilities indicate what position the specialist will occupy, what range of responsibilities he will have to perform for a specific position. The entire range of job description that will be assigned to a specific employee for a specific position is described in detail either directly in the employment contract or in the job description. Functional responsibilities define the specific activities of each employee. The employment function is negotiated between the parties during employment. A certain range of duties assigned to the employee allows you to ensure the certainty and stability of labor relations. Knowing what functional responsibilities duties are, the employee is fully responsible for their performance. The employer has the right for organizational, economic, technological reasons to change the functional responsibilities duties of the employee in accordance with the requirements of the current labor legislation [15, 17].

Job descriptions are specific actions that each employee must perform in order to perform their functions and to achieve the tasks assigned to them. When drawing up job descriptions, the employee's duties are specified in detail, enter specific actions, outline the best ways to perform the tasks set. Job description is a local act of the company, which briefly outlines the main tasks, required skills and powers to work in a particular position. It is necessary if the labor obligations of employees are not detailed in other local acts (Internal labor regulations, statutes and regulations on discipline, etc.) or employment contracts [12, 19].

The task of the instruction is to fix the functions of the employee, his basic rights, duties and responsibilities, qualification requirements, and other important working conditions. The instructions also help distribute work among employees with similar responsibilities. For example, there are two deputies working in the office. To understand who is doing what, in one instruction we write "one is responsible for the educational process", in the other - "responsible for the economic part" [9, 13].

The employee must be familiarized with the job description under the signature. In the text of the receipt, include the words "I have read the instructions", personal signature, initials and surname of the employee, and the date of familiarization. If the employee who signed the instruction has left and his

position is occupied by another, familiarize the newly accepted employee with the existing job description (if the function does not change). The job description is compiled for each position in the organization and is impersonal in nature. There is no legally approved form. Also, the procedure for developing instructions, approving them, and making changes is not defined. Sometimes the regulations specify who develops job descriptions in subordinate organizations. For example, job descriptions of health workers approve their main doctor, job description of chief healthcare department-heads of territorial departments of healthcare [14, 16].

When writing instructions, take an attention:

- corporate documents that reflect the strategy of the legal entity, provide schemes of organizational relationships, define the powers of employees, etc.;
- standard forms of job descriptions, if available.

In each job description, enter the name of the organization; the date and place of compilation; the stamp of approval; the full name of the document. Include in the text of the instructions the general provisions, functional responsibilities, job descriptions, rights and responsibilities of the employee. [20, 22].

Preparation of Job description:

Preparing instructions:

- 1) heads of structural divisions (formulate job responsibilities, define relationships and area of responsibility);
- 2) the personnel service systematizes the information received from the heads of departments, draws up a draft job description.

When developing instructions, it is better to adhere to simple short formulations that do not allow for ambiguous interpretation. For example, in the instructions for the position of head of the personnel service, you should not write cumbersome phrases such as: "Organizes the work of the department in accordance with the general goals of the company's development and specific areas of personnel policy to achieve effective use and professional improvement of employees."

It is better to divide the information into parts and specify the purpose of the position in the appropriate section, and in the functional responsibilities write, for example, as follows: "organizes and controls the work of the department". If the organization has a provision for evaluating the work of personnel, fines and bonuses, etc., then it is not necessary to duplicate all this in the instructions. It is enough to mention that the employee in his work is guided by the listed documents. Job descriptions for all positions should be designed in the same corporate style and contain the same number of sections with similar names. Further, it is advisable to coordinate the finished projects with the legal service (if any) and officials in charge of the relevant areas of the company's activities. Then

they must be signed by the heads of departments and approved by the director or his deputy. And finally, the final touch: if you have a stamp, you need to approve the finished document [18, 20, 21].

It is not necessary to issue an order for the approval of job descriptions. The approval stamp on the instruction itself is sufficient-indicating the date of signing by the rector or other authorized official.

Adjust the instructions when changing:

- labor functions;
- job titles;
- the name of the organization;
- names of the structural division, etc.

All changes are made in the same order as when accepting the document itself. So, the job description is a legal act issued for the purpose of regulating the organizational and legal status of an employee, his duties, rights and responsibilities and providing conditions for his effective work in the organization [5, 6, 8].

Also, the job description is an internal organizational and regulatory document, the purpose of which is:

1. Clearly regulate the issues of management, staff interaction, reporting, ensuring activities and regulating work responsibilities for each individual position in the company.

2. Explain and regulate the procedure for the relationship between the employee and the employer.

The job description does not apply to mandatory regulatory legal acts at an enterprise with hired labor, because the labor legislation does not regulate the presence of such a document in any way. Therefore, in each organization, job descriptions are developed and approved on their own, at the initiative of the head. The main thing is that this document does not contradict the employment contract and labor legislation. At its core, the job description is nothing more than an appendix to the employment contract and is useful for all participants in labor relations with the following features:

1) Contains a complete, exhaustive and detailed list of qualification requirements for the position, as well as determines the measure of disciplinary responsibility of the employee. The fact is that the employment contract, which is signed without fail by all employees, is most often the same in content for everyone. Accordingly, the functional responsibilities are indicated in it vaguely and not concretized, too generalized. The job description prescribes absolutely all the powers, duties, responsibilities and other details that are not specified in the current employee contract. Accordingly, if an employee is transferred to a new position, his new functional duties are regulated by another job description [2, 6, 12].

2) Each employee of the company's job description helps to have a clear understanding of their powers, capabilities and degree of responsibility to the

company. If any range of duties is not related to the position of the employee, then he has the right to refuse to perform such work without negative consequences.

3) The requirements for the position prescribed in the instructions determine the criteria on the basis of which the employer makes a conclusion about the results of passing the probationary period by a new employee.

4) dismissal of staff by the employer (for failing) it is a job description will be in court reasoned evaluation of the employees of their duties or avoid litigation altogether. In other words, the job description is a kind of guarantor and weighty protection for the employer in case of any disputes with subordinates.

5) Also, this document regulates the work of each department in particular and the entire enterprise as a whole, contributes to the organization and structuring of the work of personnel.

The main difference between the job description and the Employment contract is that it is not drawn up for each employee individually, but is formed in accordance with the established procedure for certain specialists. The Labor Code does not contain strict rules for issuing job descriptions with a new employee. It is compiled taking into account the specifics of the position and activities of the organization. This document is recommended to be issued in three copies:

the first one is for a human resources employee;

the second one is for the head of the department where the corresponding employee works;

the third one is for an employee whose job responsibilities and rights are described in the corresponding document.

The job description can act as an addendum to the employment contract or be issued separately. If necessary, its content should be discussed with the trade union. Before approval, the job description must be approved by all the necessary departments of the organization (legal department, human resources department, head of the relevant department, etc.) [8, 14, 20].

Job description - can be either standard (using a template for similar organizations), or specific (with a description of all aspects of your activities directly) [13]. By this document, all labor functions are evenly distributed among the employees of the organization (structural division). The development of the document deals with the head of the structural unit, but an allegation the head or Deputy of the organization, depending on whose authority is the structural unit of the capacity in which instruction is developed. The document is also approved by the legal service officer and those officials who are responsible for performing the tasks provided for in the instructions. Familiarization of the employee with the job description is mandatory. The instruction can be valid for years, if it was made not for a specific



person, but for a position. Its adjustment is required only in certain cases, for example, when changing the functions or name of the position, renaming the organization or structural division, etc. If instead of one employee the position is occupied by another, and the functions do not change, then the newcomer must be acquainted with the existing job description under the signature. To make adjustments and additions to the document, the head of the enterprise issues an appropriate order, which is also brought to the employees under a receipt [8, 9, 15].

Results. It can be concluded that job responsibilities are a set of actions of an employee aimed at achieving the goals of the management system and mandatory for implementation. Functional responsibilities and job descriptions differ in the essence of the concepts. Functional responsibilities are considered a broad concept that is described in a general way. The task of the instruction is to fix the functions of the employee, his basic rights, duties and responsibilities, qualification requirements, and other important working conditions. The instructions also help you distribute work among employees with similar responsibilities. The job description does not apply to mandatory legal acts in an enterprise with hired labor, because labor legislation does not regulate the availability of such a document in any way. Therefore,

in each organization, job descriptions are developed and approved on their own, at the initiative of the head.

While the focus is on protecting and supporting health care workers at the epicenter of the COVID-19 fight, the pandemic is affecting all health care actors, including self-employed workers and medical businesses. These include many health care workers and caregivers who are currently at the forefront of infection control and are at serious risk of infection. Therefore, the lack of universal coverage of health benefits is identified as one of the main challenges to the successful implementation of strategies to contain the coronavirus; in a number of countries, concrete steps are already being taken to remedy the situation. The COVID-19 crisis exposes significant gaps in coverage not only for health services, but also for health benefits, which deprives health care workers and the care economy of protection who engage in non-standard forms of employment or self-employment. The instability of income in the case of illness or care of sick family members forces them to go to work even if they are not well and increases the risk of their infection. In addition, the risk of impoverishment of the sick and their family's increases. Health care providers should have access to treatment and financial compensation in the event of COVID-19 infection.

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*и учете несчастных случаев на производстве и иных повреждении здоровья работников, связанных с исполнением ими трудовых обязанностей» [Postanovlenie Kabineta Ministrov Respubliki Uzbekistan №286 ot 6 iyulya 1995 goda «Ob utverzhdenii polozheniya o rassledovanii i uchete neschastnykh sluchaev na proizvodstve i inykh povrezhdenii zdorov'ya rabotnikov, svyazannykh s ispolneniem imi trudovykh obyazannostei»] URL: <https://www.lex.uz/docs/545122> The link is active on 26.01.2021*

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## ОСОБЕННОСТИ ПЕРВИЧНОЙ ДИАГНОСТИКИ И АЛГОРИТМ ДАЛЬНЕЙШЕЙ МАРШРУТИЗАЦИИ ПАЦИЕНТОВ С НОВООБРАЗОВАНИЯМИ ОРОФАРИНГЕАЛЬНОЙ ОБЛАСТИ НА СТОМАТОЛОГИЧЕСКОМ ПРИЕМЕ

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### РЕЗЮМЕ

Онкологические процессы головы и шеи это большое количество опухолей имеющих различ-

ное течение и требующих разного лечения. В запущенных стадиях это лечение может приводить к потере жизненно важных функций и нарушать