




Non-standard forms of employment and their development

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Abstract: This article analyzes non-standard forms of employment and the reasons for their growing demand, the differences between non-standard labor forms and traditional labor relations, as well as their positive and negative aspects. Additionally, it explores the concepts of remote work, home-based work, and freelancing, the specific characteristics of organizing these forms of employment, and the similarities and differences among these three types of work arrangements.

Keywords: Non-standard forms of employment, remote work, remote employee, home-based work, freelancing.

Introduction: Today, with the increasing complexity of social relations, changes in production organization, the process of globalization, increased production capacity, and the liberalization of society, both companies and employees feel the need to change forms of labor. Following such social changes, there arose a need for certain legislative changes and legal regulation of new relationships. Legislative bodies have also begun to seek modern ways of organizing labor relations based on the demands and needs of society.

New forms of employment, due to their adaptability to both sides of labor or other employment relations, allow for more complete satisfaction of needs, cost reduction, and adaptation to changing world conditions [1]. However, the emergence of new forms of employment is not only related to scientific and technological achievements but also because for certain categories of citizens, despite the low level of guarantees, such forms are the only employment opportunity. These workers include citizens in need of social protection, including the elderly and individuals released from places of imprisonment [2]. Additionally, in most cases, young people, foreign citizens, and long-term unemployed individuals participate in non-standard forms of employment [3]. The issue of evaluating such forms of labor is widely considered from a theoretical

perspective, with both criticism and support found in the literature. However, researchers note the complexity of studies in this area, which is due to the fact that some forms of non-standard employment are not officially defined anywhere, and there is a lack of documentation confirming the existence of such relationships or employment status [4].

In the literature, non-standard employment is usually defined as the activity of citizens based on labor relations in which one of the important features of traditional labor relations is absent or has been modified. A.M. Lushnikov and M.V. Lushnikov assess the concept of a non-standard employment contract as one characterized by a new design and content. This form is distinguished by significant changes in the personal, organizational, or property characteristics of the employment contract.

As mentioned above, non-standard forms of work are characterized by changes in the features of "ordinary" or "standard" employment. As a result of this approach, unusual forms of employment include:

- Employment related to flexible working hours;
- Employment related to non-standard workplaces: home-based work, remote work, shift work;
- Employment in non-standard organizational forms: temporary workers, seasonal workers;
- Employment based on contracts with the participation of private employment agencies: network work, outstaffing[5].

METHODS

During the study, we tried to answer the following questions:

This article examines the concept of atypical employment relationships, their types, and the reasons for the widespread use of atypical forms of employment. The article also analyzes the similarities and differences between remote work, home-based work, and freelancing.

In this research work, such scientific methods as analysis, objectivity, comparison, systematization, statistical, and generalization were used.

RESULTS AND ITS DISCUSSION

Remote work is also considered a form of non-standard employment. However, nowadays, forms of work such as remote work, home-based work, and freelancing are being viewed and misinterpreted as similar concepts from the perspective of not being performed at a stationary workplace under the employer's supervision. Below are the concepts and distinguishing aspects of off-site forms of employment for workers.

Home-based work. Home-based workers are individuals who have concluded an employment contract to perform work at home using materials, tools, and mechanisms provided by the employer or purchased by the home-based worker at their own expense [6]. According to the new edition of the Labor Code, home-based work refers to work carried out by a home-based worker in accordance with a concluded labor contract for the production of goods or the provision of services at the place of residence of an individual (home-based worker) or in other premises belonging to them and/or their family members, as requested by the employer.

In other words, home-based workers engage in manual labor, producing certain types of products from materials at home. This concept is also enshrined in the International Labour Organization Convention No. 177 "On Home Work" (Geneva, 20/06/1996).

Thus, home-based work is carried out for compensation and under the employer's direction for the purpose of producing goods or services at the place of residence or in other chosen premises, but outside the employer's production facilities.

It should be noted that individuals with remote worker status do not become home-based workers simply because they work from home rather than their usual workplace. Home-based work and remote work have the following differences:

Firstly, home-based workers' activities are inherently connected to the home, whereas in remote work, an employee can perform their duties not only at home but anywhere convenient for them [7];

Secondly, home-based work is typically carried out by people with disabilities or those with challenging family circumstances, who find it difficult to commute to work daily. Moreover, the work of these home-based workers is generally a technological process involving the production of components, semi-finished products, and certain types of products at home. Therefore, there are no requirements for internet use in home-based work, which is a fundamental aspect of remote work;

Thirdly, although the labor contract in home-based work is concluded only with the home-based worker, third parties, namely family members of the home-based worker, may participate in performing the work. In remote work, it is mandatory for the employee to personally carry out their job duties.

Fourthly, homeworkers are paid piece-rate wages, while remote workers receive time-based salaries, similar to regular office employees.

In other words, homeworkers and remote workers are likely to be similar only in that they perform their tasks

outside the employer's premises.

Freelancing. The etymology of the word "freelancer," when translated literally, means "free lancer" - "independent spearman." This term was originally used in the Middle Ages for a person who carried a spear and served as a mercenary. In England, this term was applied to soldiers who served various masters for a certain fee. In the 19th century, the word acquired a creative meaning and began to be used in relation to independent artists and journalists who performed work on individual commissions [8].

In the modern interpretation, a freelancer is a professional in any field who independently provides services to various clients, without being a subcontractor of a single client [9].

Freelancing is one of the non-standard forms of labor organization, in which a freelancer is not a full-time or part-time employee of any company, but operates as an independent specialist and simultaneously has several employers (or clients).

It should be noted that today more and more

companies are formalizing relationships not through employment contracts, but through civil law contracts. Freelancing activities are also carried out not through an employment contract, but through paid service (civil) contracts.

Unlike home-based work and remote work, in this form of employment, the company assigns a specific task to the freelancer under the contract, sets deadlines, and specifies all the terms of the work in the contract. If the freelancer completes the assignment on time, the company pays them a one-time fee as specified in the contract [10]. This scheme is considered convenient due to the remote nature of the work. However, such contracts deprive freelancers of the following guarantees that apply to employees established by law: annual basic and additional leave, sick leave, severance pay in case of dismissal due to staff reduction, and others. This also allows organizations to save on social benefits provided in cases of temporary disability.

Freelancing differs from remote work in the following ways:

Signs	Freelancing	Remote work
Type of employment	Individual entrepreneurs and self-employed individuals	Staff member
Contract type	Civil law contract and non-contractual labor	Employment Contracts (Fixed-term and Permanent)
Employer	Legal entities and individuals	Legal entities
Work schedule	Completing the work by the deadline agreed upon with the client	Strictly defined schedule (as agreed between the employee and the employer)
Distribution of workload	Uneven (the number of orders depends on the volume and ease or difficulty of the task)	At a steady pace (usually 7-8 hours per day)
Income level	Unstable	Stable, steady

Remote work. Remote work is a form of labor organization in which work is carried out by an employee using information and communication technologies outside the workplace or the territory of the owner or authorized body, anywhere at the employee's discretion.

In order to regulate these relations, a section entitled "Features of Regulating the Labor of Remote Workers" has been introduced into Chapter 26 of the new

edition of the Labor Code of the Republic of Uzbekistan. This section defines the concepts of remote work and employees working remotely, and also sets out the specifics of concluding an employment contract with such employees.

The new edition of the Labor Code of the Republic of Uzbekistan defines the concept of "remote work." According to it, remote work is a labor function performed by an employee, as determined by an

employment contract, which involves a relationship between the employer and the employee, related to the implementation of this labor function outside the location of the employer, outside the permanent workplace, territory, or facility directly or indirectly controlled by the employer, through information and telecommunication networks used in performing this labor function, including the Internet.

Based on the definition, remote work has the following features:

Firstly, the employee is required to perform the labor function stipulated by the employment contract outside the location under the direct or indirect control of the employer, its branch, representative office, other separate structural subdivision (including workplaces located in other localities), territory, or facility;

Secondly, the use of public information and telecommunication networks, including the internet, is an integral condition for facilitating communication between the employer and the employee on issues related to the performance and implementation of labor functions.

CONCLUSIONS

Regarding the development and practical implementation of remote work today, it is currently possible to establish such contracts primarily with programmers, lawyers, web designers, economists, editors, proofreaders, and others. They are united by the fact that they are highly qualified specialists who independently organize their work and present its results to the employer mainly in electronic form (edited texts, computer programs, draft contracts, reports, etc.).

Thus, non-standard forms of employment primarily arise from social changes that have demonstrated the need to modify conventional labor relations which cannot fully meet the needs of companies. Despite some researchers' negative assessment of non-standard employment forms, the process of seeking new solutions continues unabated. On the contrary, novel forms of employment are emerging and spreading. One of the pressing issues today is the creation of sufficient regulatory legal acts to govern these forms of employment and their lawful promotion to reduce unemployment and provide relief for employees in various social situations. From this perspective, it is necessary to incorporate into Section 6 of the Labor Code, "Additional Guarantees and Benefits for Certain Categories of Workers," concepts related to the definition of atypical and other modern forms of employment, as well as descriptions of the specific features of their regulation.

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