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Labor relations in the context of quarantine due to coronavirus (COVID-19)

Limitations set in order to prevent spread of coronavirus infection affect all business processes, including employer-employees labour relations. In accordance with the Decree of the President of the Republic of Uzbekistan 'On priority measures to mitigate the negative impact on sectors of the economy by the coronavirus pandemic and global crises' No. UP-5969 dated March 19, 2020, the Special Republican Commission for the preparation of the Program of measures to prevent the spread of coronavirus in the Republic of Uzbekistan (the "Republican Commission") led by the Prime Minister of the Republic of Uzbekistan was established, whose activity is targeted to mitigate negative effects of coronavirus pandemic and global economic crisis. In accordance with the resolution of the Republican Commission all entities in Tashkent, regardless the form of ownership, must ensure that the staff members shall either take annual leave in a manner provided by Uzbek law or work remotely.

In accordance with Labour Code of the Republic of Uzbekistan dated December 21, 1995 (the "Labour Code"), labour leave can be paid and unpaid. Please note that paid leave can be provided to employee only with his/her explicit consent upon the written request.

Please note that Labour Code does not envisage the suspension of an employment agreement due to quarantine measures, while Article 100 of Labour Code determines the exhaustive list of grounds which can be used by an employer to terminate an employment agreement without obtaining consent of the employee.

With respect to obtaining work permits for employment of foreign citizens no limitations were introduced. However, in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On approval of the regulation of the procedure of attraction and use foreign labour force in the Republic of Uzbekistan" No. 244 dated March 25, 2019 (the - "Resolution No. 244"), a certificate of absence of HIV issued by medical institutions of the Republic of Uzbekistan is indicated in the list of documents required to be attached for obtaining the individual confirmation of the right to be employed in the Republic of Uzbekistan. Starting from March 16, 2020, the Republic of Uzbekistan has ceased road connection with other countries, starting from March 19, 2020 - railway connection, as well as starting from March 30 to April 20, 2020 all airports suspend their operations and air traffic with other countries has ceases completely. Furthermore, during the quarantine "Digital Economy Project Management Center" State Unitary Enterprise (the authorized body to file the documents for obtaining the work permit of hiring and personal confirmation of attraction and use of foreign labour force) in electronic format through the my.gov.uz (online) and only in emergency events in the buildings of public service centers. Therefore, we understand that foreign citizens who have not entered the territory of the Republic of Uzbekistan will not be able to file the documents for individual confirmation to work.

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