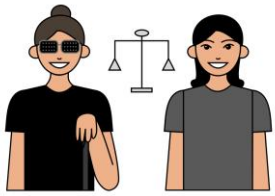
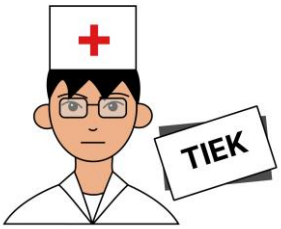
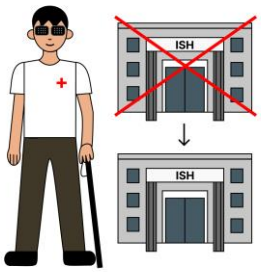
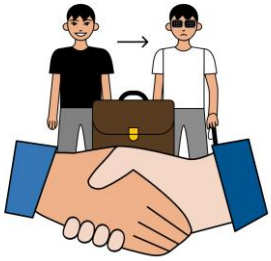
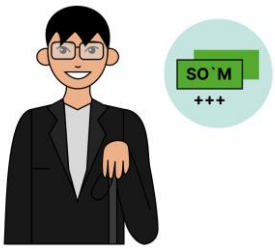
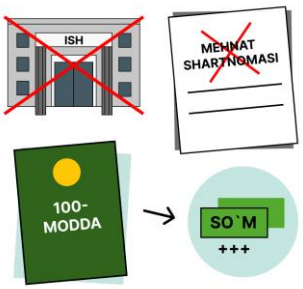
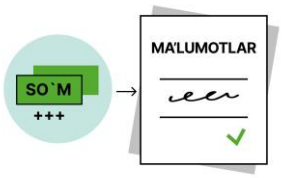
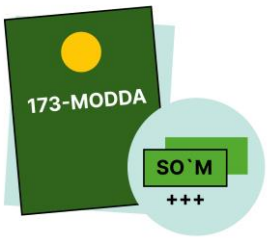
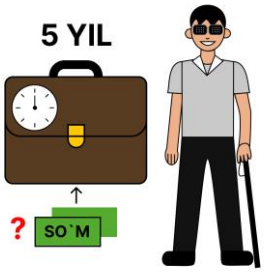
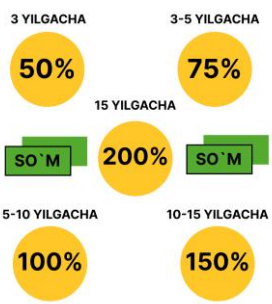
Mehnat qilishda nogironligi bor insonlarning huquqlari va imtiyozlari

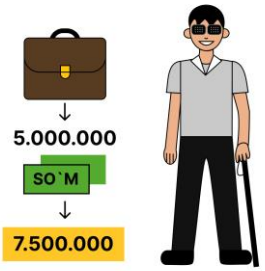
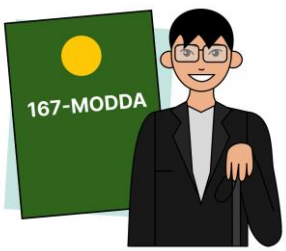
Illyustratsiya	Oson matn
	Bu maqolada sen nogironligi bor insonlarning mehnat qilishda huquqlari va ba’zi imtiyozlari haqida bilib olasan.
	Sen mehnat qilishda boshqa ishchilar bilan teng huquqlisan.
	Sen mehnat qilishda qonunda belgilangan imtiyozlaringdan foydalanishing mumkin.
	Mehnat kodeksining 425-moddasiga ko‘ra: • rahbar sen bilan mehnat shartnomasi **tuzmasligi** yoki **shartnomani** bekor qilishi mumkin emas.

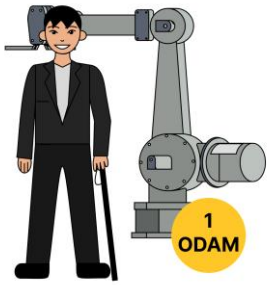
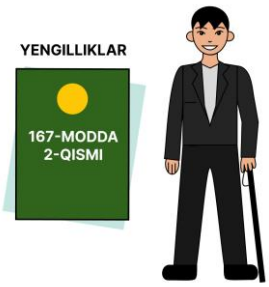
	TIEK xulosasiga ko‘ra sen: ● sog‘liging sababli ishdagi vazifalarni qila olmasang ● ishdagi vazifalar sen va boshqalar sog‘ligi uchun xavfli bo‘lsa ● rahbar seni ishga **olmasligi** yoki **mehnat shartnomasini bekor qilishi** mumkin.
	TIEK – bu Tibbiy-ijtimoiy ekspert komissiyasi ya’ni **shifokorlar guruhi.**
	Masalan: ● Shifokorlar guruhi sening sog‘liging sabab o‘qituvchi bo‘lib ishlash mumkin emas deb topsa,rahbar seni ishga olmaslikka haqli.
	Mehnat kodeksining 143-moddasida nogironligi bor ishchi bilan mehnat shartnomasini bekor qilish qoidalari belgilangan.

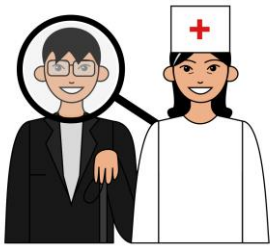
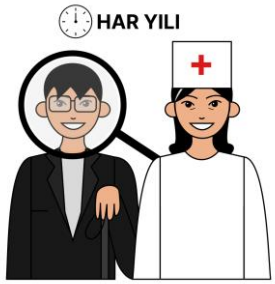
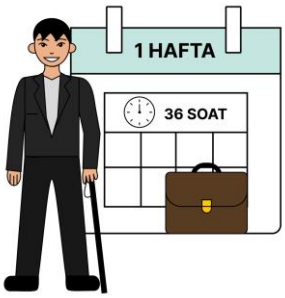
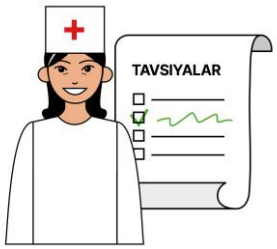
	Rahbar seni bo‘sh ish o‘rniga: ● sening sog‘liging ● sening roziliging bilan ● ishlashing mumkin bo‘lgan ishga olishi shart.
	Masalan: ● Ishchi qandaydir sabab bilan nogiron bo‘lib qolsa, rahbar ishchini ishdan bo‘shatmasdan osonroq ish berishi kerak.
	143-moddaning ikkinchi qismiga ko‘ra: ● ishchi taklif qilingan osonroq ishni rad etsa ● rahbarda sening sog‘ligingga mos ish bo‘lmasa rahbar ishchi bilan tuzilgan **mehnat shartnomasini bekor qilishi** mumkin.
	Bunday hollarda sen bilan mehnat shartnomasini bekor qilinganda kafolatli to‘lovlar to‘lanadi.

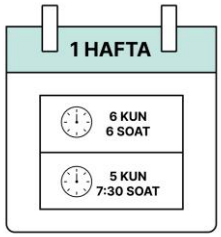
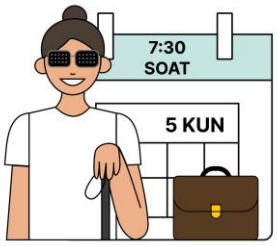
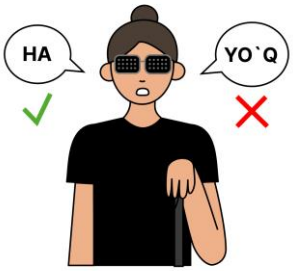
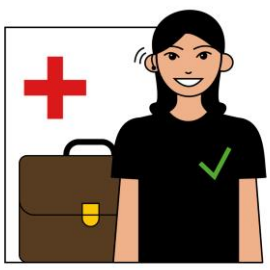
	Sen bilan mehnat shartnomasi bekor qilinganda **ikki xil kafolatli to‘lovni** olishing mumkin.
	**Birinchi kafolatli to‘lov mehnat kodeksining 100-moddasiga ko‘ra:** ● sen shifokor xulosasiga ko‘ra osonroq ishga o‘tishni rad etsang ● yoki rahbarda sen uchun oson ish bo‘lmagani sabab mehnat shartnomasi bekor qilinsa, ish topguningcha sening ikki oylik ish haqing to‘lab berilishi belgilangan.
	Agar sen mehnat shartnomasi bekor qilinganidan keyin: ● o‘ttiz kun ichida bandlikka ko‘maklashish markazidan ish qidirayotgan inson sifatida ro‘yxatdan o‘tib bu haqida ma’lumotnomani ish joyingga bersang uchinchi oy uchun ham oylik olishing mumkin.

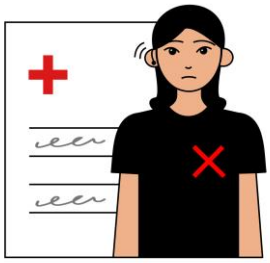
	**Ikkinchi kafolat** Mehnat kodeksining 173-moddasiga koʻra, senga **ishdan boʻshatish nafaqasi** toʻlanadi.
	**Ishdan boʻshatish nafaqasi** – bu mehnat shartnomasi **ma’lum sabab** bilan bekor qilinganda uning oqibatlarini yumshatish uchun beriladigan toʻlov puli.
	**Ma’lum sabablar**: ● sen sogʻligʻining sabab boshqa ishga oʻtishni rad etish ● yoki rahbarda senga mos ish yoʻqligi kiradi.
	Ishdan boʻshatish nafaqasi **miqdori** sen oxirgi ishlagan joyingga qarab beriladi.
	**Ishdan boʻshatish nafaqasining miqdori:** ● uch yilgacha ishlagan ishchilar uchun — oʻrtacha oylikning yarmidan

	• uch yildan besh yilgacha ishlaganlar uchun — o‘rtacha oylikning yetmish besh foizidan • besh yildan o‘n yilgacha ishlaganlar uchun — o‘rtacha oylikning yuz foizidan • o‘n yildan o‘n besh yilgacha ishlaganlar uchun — o‘rtacha oylik ning bir yuz ellik foizidan • o‘n besh yildan ko‘p ishlaganlar uchun — o‘rtacha oylikning ikki yuz foizidan **kam bo‘lishi mumkin emas.**
	Masalan: • Sen bilan mehnat shartnomasi yuqoridagi sabablar bilan bekor bo‘lmoqda. • Sen 12 yil ishlagansan. • Sening o‘rtacha oylik ish haqing 5 (besh) million so‘m. • Bu vaziyatda senga to‘lab beriladigan ishdan bo‘shatish nafaqasi miqdori 7 million 500 (yetti million besh yuz) ming so‘m.
	Mehnat kodeksi 167-moddasiga ko‘ra, tashkilotga texnologiya va ishlab chiqarishdagi o‘zgarishlar sababli qisqartirish kelganida birinchi bo‘lib ishda qoldirishga doir imtiyozli huquq **malakasi va mehnat unumdorligi yuqoriroq bo‘lgan ishchilarga beriladi.**

	Masalan: ● Tashkilotga 3-4 ta ishchining ishini qiladigan yangi uskuna keltirildi. ● Bu vazifani bajaradigan ishchilar ishdan bo‘shatilishi kerak va faqat 1 ta ishchi qolishi kerak. ● Bunda eng tajribali ishchi ishda qolishi mumkin.
	Agar ishchilarning tajribasi bir xil bo‘lsa 167-moddaning ikkinchi qismida ba’zi toifadagi ishchilarga yengilliklar berilgan.
	Yengillik beriladigan ishchilar toifasiga kiruvchilarga: ● o‘sha tashkilotda ishlash vaqtida nogiron bo‘lgan ● yoki kasb kasalligiga uchragan insonlar ● va nogironligi bo‘lgan insonlar ham kiradi.
	Agar ishda yaxshi ishlasanggina senda nogironlik borligi ish o‘rningni saqlab qolishga yordam berishi mumkin.

	Mehnat kodeksining 360-moddasiga ko‘ra, sen bilan mehnat shartnomasi tuzilayotganda va ishlayotgan vaqtingda shifokor ko‘rigidan majburiy o‘tkazishlari kerak.
	426-moddaga ko‘ra, sen har yili majburiy shifokor ko‘rigidan o‘tishing kerak.
	Seni majburiy shifokor ko‘rigidan o‘tish xarajatlarini rahbar to‘laydi.
	Mehnat kodeksining 427-moddasiga ko‘ra, senda birinchi va ikkinchi guruh nogironligi bo‘lsa sen bir haftada **o‘ttiz olti soatdan** ko‘p ishlamasliging kerak.
	Senda birinchi va ikkinchi guruh nogironligi bo‘lsa sen uchun ish vaqti shifokorlar guruhining tavsiyasiga qarab belgilanadi.

	Lekin, sening ish vaqting davomiyligi: ● olti kun ishlasang — bir kunda olti soatdan ● besh kun ishlasang — bir kunda yetti yarim soatdan ko‘p bo‘lmasligi kerak.
	Masalan: ● senda ikkinchi guruh nogironligi bor va sen 1 haftada 5 kun ishlaysan, bunda sen bir kunda 7 soat 30 daqiqa ishlashing kerak.
	Seni faqat **o‘z roziliging bilan**: ● xizmat safariga yuborishlari ● tungi vaqtda ishlatishlari ● ish vaqtidan tashqari ishlarga ● dam olish va ishlanmaydigan bayram kunlaridagi ishlarga jalb qilishlari mumkin.
	Agar sen uchun bunday ishlarga shifokorlar guruhi tomonidan ruxsat berilgan bo‘lsa ishlashing mumkin bo‘ladi.

	Agar tibbiy-ijtimoiy ekspert komissiyasi tavsiyasida yuqoridagi hollarda ishlash mumkin emasligi yozilgan bo‘lsa, sen rozi bo‘sang ham ishlashing mumkin bo‘lmaydi.