



MODERN PROBLEMS IN EDUCATION AND THEIR SCIENTIFIC
SOLUTIONS

WORKING AND NON-WORKING HOLIDAYS: A LEGAL
PERSPECTIVE

Ablakulova Dilduza Komiljon qizi

Tashkent State University of Law

Faculty of Public Law, 2nd-year student

dilfuzaablakulova2006@gmail.com

+998910018801

Abstract: *In the era of globalization, the creation of new workplaces has led to increasingly complex labor relations. To safeguard the constitutional rights of employees, every nation seeks to establish fair and transparent legal norms. This study examines the growing significance of balancing efficient labor organization with citizens' rights to rest and observe holidays. The research focuses on one of the fundamental labor rights — the right to rest — analyzing how this right is implemented through the system of working and non-working holidays, and comparing Uzbekistan's experience with international practices.*

Keywords: *holidays, labor rights, right to rest, employee, employer, working day, legislation.*

Introduction. Holidays are an integral part of a nation's historical memory, cultural identity, and social fabric. They strengthen national unity, moral values, and a sense of belonging among citizens. The legal division of holidays into working and non-working categories represents an important intersection between labor law, social policy, and economic regulation. Non-working holidays allow employees to recover both physically and mentally, which enhances labor productivity and overall well-being. Conversely, working holidays ensure the uninterrupted operation of vital sectors such as energy, healthcare, and transportation — a necessity for maintaining social stability. Thus, a fair and transparent regulation of holidays reflects a state's commitment to both economic efficiency and human dignity.

Methods. This research employs a comparative and analytical approach. It draws on international studies addressing the impact of holidays on workers' health, well-being, and productivity. According to the Australian Work and Life Index (AWALI, 2010), having paid annual leave is a highly valued working condition. It contributes to relaxation, family cohesion, and long-term health benefits (Tourism Australia, 2009). Similarly, de Bloom et al. (2010) found that although holidays temporarily boost well-being, these positive effects tend to diminish shortly after returning to work.⁴⁷ In Brazil,

⁴⁷ Pocock, B., Skinner, N., & Pisaniello, S. (2010). *How Much Should We Work? Working Hours, Holidays and Working Life: The Participation Challenge*. The Australian Work and Life Index 2010. <https://library.bsl.org.au/jspui/bitstream/1/1919/1/AWALI2010-report.pdf>





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Matos (2021) explored the professional and personal boundaries of university lecturers. The study revealed that many academics continue engaging in work-related tasks during holidays — illustrating the growing overlap between professional and private life. These international perspectives help contextualize Uzbekistan's experience within a broader global framework of labor rights and rest policies.

Results. Data from Brazilian and Australian studies indicate that structured and protected holiday periods significantly enhance employee health, satisfaction, and work-life balance. However, without clear legal or institutional boundaries, rest periods often lose their intended restorative function.⁴⁸ In the context of Uzbekistan, the Labor Code of the Republic of Uzbekistan (2023) clearly distinguishes between working and non-working holidays. Article 208 lists nine official non-working holidays, during which work is generally prohibited:

1. January 1 — New Year's Day
2. March 8 — International Women's Day
3. March 21 — Navruz Holiday
4. May 9 — Day of Remembrance and Honor
5. September 1 — Independence Day
6. October 1 — Teachers' and Mentors' Day
7. December 8 — Constitution Day
8. The first day of Eid al-Fitr
9. The first day of Eid al-Adha⁴⁹

If a non-working holiday coincides with a rest day, the day off is postponed to the following working day. Article 187 further stipulates that working hours on the eve of non-working holidays must be shortened by at least one hour. Where such adjustment is impossible due to continuous production cycles, employees are compensated either through additional rest time or monetary payment. The International Labour Organization (ILO) affirms that international labour standards “give expression to human rights at work ... including ... the right to rest, leisure and reasonable limitation of working hours and periodic holidays with pay.”⁵⁰ E. A. Chulkova writes about International legal standards have become increasingly important for the national legislation of any developed country. ... The author distinguishes three levels at which the international legal regulation of this area of legal relations is carried out.”⁵¹

⁴⁸ Matos, R. S., Costa Filho, R. A., & Tadeu, R. (2024). *Holidays are Holidays, Right? Brazilian Lecturers' Perceptions of the Relationship Between Professional and Personal Lives*.

<https://preprints.scielo.org/index.php/scielo/preprint/view/9061/16980>

⁴⁹ Labor Code of the Republic of Uzbekistan. <https://lex.uz/ru/docs/-6257288>

⁵⁰ https://www.ilo.org/resource/article/international-labour-standards-human-rights?utm_source

⁵¹ E. A. Chulkova. (2019). International legal resolutions of rest. <https://journals.eco-vector.com/2223-0092/article/view/541197>





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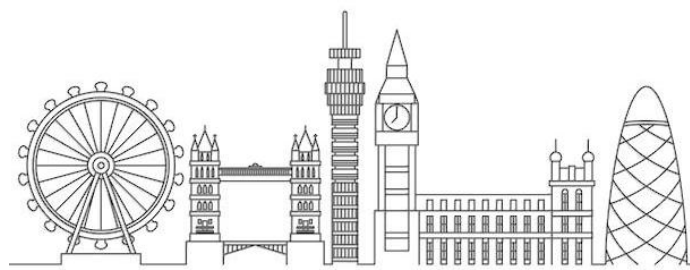
Discussion. The right to rest is not merely an element of labor law — it is a recognized human right as Mathias Risse (2009) emphasizes: “Labor rights are the first to come up for criticism when accounts of human rights are offered ... and notoriously so Article 24, which talks about ‘rest and leisure’ and ‘period holidays with pay.’”⁵² This view underscores that the protection of holidays and leisure time is integral to human dignity and social justice. In Uzbekistan, exceptions to non-working holidays are made for essential industries, where continuity is crucial for the public interest. Employees may only be assigned to work on these days with their written consent, formalized by an employer’s order. Working holidays, such as Defenders of the Motherland Day (January 14) or Uzbek Language Day (October 21), are observed symbolically while normal work continues. These dates preserve historical and cultural identity without halting economic activity. Comparatively, Brazil’s “health-promoting university” model (Faria et al., 2021) shows a growing awareness of institutional responsibility for rest and wellness, though a unified framework is still developing. Both cases illustrate how legislation and institutional policy complement one another in safeguarding workers’ physical and psychological well-being. National laws frequently stipulate that work on non-working holidays (or rest days) is only permissible under specific conditions and often requires additional compensation or assigning a different day off. For example: the Labour Code of Kazakhstan states that work on weekends and holidays “shall be permitted with the written consent of the employee” and must then provide another day of rest or increased pay.⁵³ The notion of “rest and leisure” is explicitly enshrined in universal human-rights texts: for instance, the Bermuda Human Rights Commission site notes in its version of Article 24: “Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.”⁵⁴

Conclusion. Uzbekistan’s system of working and non-working holidays exemplifies a balanced approach to labor and rest. By legally prohibiting work during nine key national holidays — except in exceptional circumstances — and mandating reduced hours on their eves, the country protects workers’ right to rest while maintaining essential economic functions. Comparative analysis demonstrates that ensuring rest is as critical to social development as promoting labor efficiency. In this respect, the experience of Uzbekistan aligns with global human rights principles and contributes to the broader understanding of labor welfare in the modern era.

⁵² Risse, M. (2009). *A Right to Work? A Right to Leisure? Labor Rights as Human Rights. Journal of Law & Ethics of Human Rights*, 3(1), 1–41.

⁵³ https://www.adilet.zan.kz/eng/docs/K070000251?utm_source

⁵⁴ https://humanrights.bm/article-24/?utm_source





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8. ¹ E. A. Chulkova. (2019). International legal resolutions of rest. <https://journals.eco-vector.com/2223-0092/article/view/541197>

