

## INVESTIGATION AND ACCOUNTING OF INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

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**Abstract.** *In this article, the procedure for checking and accounting for various levels of damage to the health of employees in the event of an accident in production is considered. In the event of an accident in production, the size and scope of the employer's obligations established by law are determined. It also lists the powers of other state bodies to investigate and take into account an accident. The norms of labor legislation regarding the procedure, requirements, form, storage, and dispatch of a document in the event of an accident are analyzed. Features of investigation and accounting of industrial accidents of particular importance, especially those with death or other serious consequences, are revealed.*

**Keywords:** *life, health, employee, employer, victim, authorized state body, accident, damage, inspection, accounting, employee representative, document.*

**Introduction.** In the last decade, many technological innovations have been made and introduced into the manufacturing sector around the world, new tools have been equipped and technological re-equipment has been carried out. Such opportunities in production ensure the right of employees to work in fair and safe working conditions in labor relations. Nevertheless, no one is completely protected from industrial accidents and occupational diseases. According to the International Labor Organization, about 340 million workers worldwide suffer from occupational accidents and 160 million workers suffer from work-related diseases every year [1]. According to the State Labor Inspection of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan, the number of deaths caused by industrial accidents in Uzbekistan during the 11th month of 2022 is 229. The number of officials brought to criminal responsibility in connection with deaths was 194, and the number of officials brought to administrative responsibility was 121. According to the data provided since 2018, the number of deaths is increasing. For example, the number of such cases was 182 in 2018, 199 in 2019, 200 in 2020, and 238 in 2021 [2].

Article 42 of the Constitution of the Republic of Uzbekistan states that "Everyone shall have the right to decent work, to free choice of profession and occupation, favorable working conditions that meet the requirements of safety and hygiene, to fair remuneration for work without any discrimination and not below the established minimum wage, as well as the right to unemployment protection in the manner prescribed by law." [3]. According to the principles established in our constitution, the procedure for checking and recording accidents is applied not only within the framework of labor relations, but also within the framework of civil-legal relations. The first part of the decision of the Cabinet of Ministers of the Republic of Uzbekistan No. 286 "On the inspection and accounting of accidents in production and other types of damage to the health of employees related to the performance of labor duties" defines the scope of regulation. According to this Decision, a single procedure for checking and accounting for accidents in production and other damage to the health of employees related to the performance of work tasks is established [4]. This procedure applies to the following organizations and individuals:

State management bodies;

- Local state authorities;
- Economic associations and all organizations, regardless of their organizational and legal form and departmental subordination;
- Individual entrepreneurs;
- Citizens who are serving a sentence according to a court sentence while working in production;
- Employers;
- To persons performing work under civil legal contracts according to contracts and assignments;
- Citizens participating in the elimination of natural and man-made emergency situations;
- Foreign citizens who are employed, unless otherwise specified in a special interstate agreement;
- Military personnel sent to the enterprise to perform construction, agricultural and other work not related to military service, including military personnel undergoing alternative service;
- Students and pupils undergoing production practice at the enterprise [4].

**Methods and materials.** Both theoretical and empirical methods were used in the research process. Because the subject of research is broad and includes complex relationships, it is important. For example, "industrial accidents" usually involve a range of different participants. In the study, investigation and accounting of industrial accidents, state bodies within their competence, local authorities, trade unions or other public associations of employees, as well as individual entrepreneurs, foreign citizens, students and students undergoing internship, since the persons working under the civil-legal contract are also considered subjects, the norms pertaining to them are theoretically studied and analyzed. Also, the investigation and accounting of accidents is always researched using the empirical method, as it is related to health and labor protection. Based on the information of the International Labor Organization, the World Health Organization and the State Labor Inspection of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan, statistics related to the study were analyzed. In the newly adopted Labor Code of the Republic of Uzbekistan, the compatibility of the norms regarding the investigation and accounting of accidents in production with the legal documents was studied.

**Results and discussion.** According to the World Health Organization, about two million people die every year as a result of industrial accidents and work-related diseases or injuries. Another 268 million non-fatal workplace accidents cost each victim an average of three days of work lost, and cause 160 million new work-related illnesses each year. Today, 8% of the global disease burden caused by depression is attributable to occupational hazards [5]. You can see how relevant the topic is from the given statistical data. Although modern technology is widely used in production, no one is guaranteed from accidents. Also, new types of them are emerging. If these events and occupational diseases are not investigated and taken into account in time, the legal consequences will be complicated to find their solution. Depending on the nature and type of production, if an accident occurs, the relevant responsible person (workshop manager, employer, customer, etc.) will immediately provide first aid to the victim and deliver or organize delivery to a treatment facility. This is his first commitment. His next obligation is to inform the employer and the trade union or other representative body of the company's employees. of the Law of the Republic of Uzbekistan "On Trade Unions". Article 33 defines the following tasks of the trade union in the event of an accident in production: obtaining information about all accidents in

production and occupational diseases; participation in the investigation of industrial accidents and occupational diseases; making suggestions to the employer about suspending work in cases of danger to the life and health of employees, as well as about eliminating violations of labor protection requirements [6]. Judging from this norm, the representative body of employees has the authority to control in the manner established by law in the investigation and accounting of accidents. The medical-sanitary part of the enterprise (hospital, polyclinic) should notify the employer and the trade union or other representatives of the employees about the accident that occurred with the employees who applied for help within one day, including the employees of foreign organizations on business trips and working at the production facilities of the enterprise. informs the body [4].

According to the order of the employer, a commission will be established in the composition of representatives of the employer and trade union committee or other representative body of employees. The commission: investigates the accident within three working days, identifies and interrogates witnesses and persons who violated labor protection rules, labor safety standards, and, if possible, receives an explanatory letter from the victim. The commission draws up the first document in triplicate, signs it (by the commission members) and gives it to the employer for approval [4]. The employer shall take measures to eliminate the causes of the accident in production and, within three working days after the completion of the investigation, send the certified documents to the victim or the person protecting his interests, together with the investigation materials, to the head of the labor protection service of the enterprise and the regional sent to the State labor inspectorate of the labor body [4]. Accidents registered with the first document are taken into account by the enterprise and recorded in the book. The document sent by the head of labor protection with inspection materials must be kept for 45 years. Inspection materials, documents and copies sent to other places are stored until they are no longer needed [4].

An accident is not always investigated or taken into account by the employer in time. One of the main reasons for this is that the victim's health does not show the results of the accident at the initial stage or it does not affect the ability to work. In such a situation, the victim or witnesses, during the working hours, did not report to the employer or accidents about the immediate loss of work ability, at the request of the victim or the person protecting his interests, as well as at the request of the state labor inspector for labor protection it will be checked within one month from the date of submission of the application or receipt of the instruction. After the application is received, witness statements are taken, the conditions are studied, and after the evidence is checked, the document No. 1 is drawn up. If the victim is working on a substitute basis, performing duties at another production site, and has been temporarily transferred to another organization by written order of the employer, in this case, the organization where the accident occurred will be checked by the employer of the enterprise and taken into account is taken.

According to the contract between the military unit and the enterprise, the military construction unit engaged in work on the national economy objects and working under the leadership of its administrative technical officer. will be checked with the participation of The accident is accounted for by the enterprise [4]. If an accident occurs with persons involved in the work of the enterprise and kept in the correctional labor institution (ATMM), therapeutic labor and training-labor prevention (DMP and TMP), who are performing the work under the leadership of its administrative and technical employee, the representatives of the ATM, DMP and TMP will be checked by the employer. The accident is accounted for by the enterprise [4].

An accident involving a driver of a vehicle sent to agricultural work as part of a collective motorcade organized by an automobile company or other enterprise is investigated and taken into account by this enterprise. The representative of the company that sent the employee will participate in the inspection. Accidents involving pupils, students, who are undergoing production practice or performing work under the guidance of an employee of the enterprise, are investigated by the enterprise together with the representative of the educational institution and taken into account by the enterprise. Accidents that happened to pupils, students, who are conducting production practice or doing work under the guidance of their teachers in the area allocated by the enterprise for production practice, are investigated by educational institutions together with the representative of the enterprise and taken into account by the educational institution [ 4].

There are specific problems in the process of checking and accounting for industrial accidents and other damage to the health of employees. Including:

In the event of an accident, the victim and the witness do not immediately inform the manager. As a result, there are various difficulties and uncertainties in the verification process;

When the enterprise is reorganized or liquidated, the digital document No. 1 about the accident is not sent to the relevant organizations in time;

As a result of the accident, the victim did not initially know the extent of the damage to his health, due to the passage of time, some evidence and circumstances disappear. As a result, one month will not be enough for the duration of the verification and accounting process;

When an accident occurs with those who are temporarily transferred to another job by the written order of the employer while performing their duties at another enterprise, when working on a substitute basis, due to many bureaucratic obstacles in the inspection and accounting work, it is difficult to investigate and account for the accident. The term will be extended. The victim or his representative suffers material and moral damage in this process.

**Conclusion.** Even in the production equipped with the most modern technologies, we can see cases of some type and nature of accidents and occupational diseases or some degree of damage to health related to production and the resulting legal consequences. That is why this topic does not lose its relevance. As a result of the modernization and digitalization of production features, the demand for changes and appropriate additions to the legal processes related to the investigation and accounting of accidents is increasing. In productions with specific features, for example, the inspection and accounting in the event of an accident or damage to the health of employees working remotely is not sufficiently provided for in the laws and regulations of the Republic of Uzbekistan.

Chapter 26 of the Labor Code of the Republic of Uzbekistan is called "Specific features of the legal regulation of labor depending on the nature of the employee's relationship with the employer and the place of his work." The third paragraph of this chapter defines the rights of employees working remotely. If an accident occurs while teleworkers are performing their duties, the procedure for checking and accounting is not defined by law. I propose to include in the Labor Code the investigation and accounting based on the nature of work in the event of an accident with teleworkers.

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