

AN EVALUATION OF THE FEDERATION OF TRADE UNIONS OF THE REPUBLIC OF KAZAKHSTAN

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Abstract

Trade unions are mass public organizations that unite workers of all professions, aiming to protect their economic, socio-cultural rights, and interests. They play a crucial role in ensuring social justice, an effective and humane economy, and the prosperity of society as a whole. In Kazakhstan, the Federation of Trade Unions of the Republic of Kazakhstan (FTURK) is the largest and most representative organization of workers, with a membership of around two million people. This paper examines the role of trade unions in Kazakhstan, their achievements, and the challenges they face in the current socio-political climate.

Key aspects of trade unions in Kazakhstan include:

- *Legal framework: Trade unions in Kazakhstan operate within the framework of the Law of the Republic of Kazakhstan "On Professional Unions" (2014), which defines trade unions as public associations aimed at representing and protecting the labor and social and economic rights and interests of their members.*
- *Regional and sectoral organizations: Trade unions in Kazakhstan are organized on a regional, sectoral, and global basis, with formal institutional relations linking them.*
- *Workplace representatives: Unions train workplace representatives to assist members with job-related issues and advocate for improved working conditions and salaries.*
- *Achievements: Trade unions have significantly influenced society by advocating for measures such as improved parental leave, equality legislation, better protection for migrant workers, and the national minimum wage. They have also contributed to the elimination of child labor, improved worker safety, and the reduction of working hours.*
- *Challenges: In recent years, there has been a decrease in the number of trade unions, union density, and union membership in both industrialized and emerging nations, including Kazakhstan. The trade union movement in Kazakhstan has faced serious oppression, with a regressive law on trade unions adopted in 2014 and direct attacks on independent unions in 2017.*

Despite these challenges, trade unions in Kazakhstan continue to advocate for workers' rights and interests, working closely with regional and sectoral trade union groups. The FTURK, as the most significant trade union organization in the country, plays a vital role in shaping the socio-economic protection, labor law, and labor protection policies in Kazakhstan.

Key words: *Trade unions, workers' rights, Federation of Trade Unions of Kazakhstan, social and labor problems, labor law.*

INTRODUCTION

Trade unions are mass public organizations of workers of all professions without distinction of race, nationality, gender, religious beliefs, etc. Trade unions are designed to protect the economic, socio-cultural rights and interests of workers. Depending on how developed the trade union movement is in the state, one can judge its social policy, the level of democratic development, since trade unions are a socio-economic mechanism for protecting the rights and freedoms of citizens in the field of labor and employment. Trade unions in their activities solve not only labor issues directly (wages, prevention of termination of an employment contract, including in connection with the reduction of positions with certain categories of employees, etc.), but also general social issues related to the employment policy of the population, social harmony, the development of labor culture, and consequently, the prosperity of society in general.

In modern conditions, trade unions are voluntary independent public organizations that unite workers connected by common interests by the nature of their activities, both in the industrial and social



spheres. The main task of trade unions of all boards is to protect the rights and legitimate interests of workers, establish social justice, and an effective and humane economy.

According to Article 1 of the Law of the Republic of Kazakhstan “On professional unions” (27 June, 2014 No. 211-V.) a trade union - public association with a fixed membership, voluntarily created on the basis of common labor, production and professional interests of the citizens of the Republic of Kazakhstan for the representation and protection of labor and social and economic rights and interests of its members.

The greatest organization of democratic civil society in the world is the worldwide labor union movement. Unions are arranged on a regional, sectoral, and global basis and are linked by formal institutional relations.

Workplace representatives are organized and trained by unions to assist union members with issues they encounter on the job.

Reps advocate for improved working conditions and salary while offering assistance and counsel.

Unions have significantly altered society, bringing about things like:

- improved parental leave, equality legislation, better protection for migrant workers,
- a decrease in exploitation, a national minimum wage
- the elimination of child labor
- improved worker safety
- a reduction in the number of hours worked each week and encouragement of a healthy work-life balance, and minimum holiday and sick leave entitlements are all examples of measures that could improve living standards.

Following consultation, discussion, and bargaining, unions have also reached hundreds of local agreements on matters impacting specific workplaces.

In recent years, tendency of a drop in the number of trade unions, union density, and union membership has been observed in the world in both industrialized (like the USA, UK, and Australia) and emerging nations (like those in sub-Saharan Africa). For instance, the number of union members has decreased by 14% in the USA while being unchanged in the UK. The Ministry of Statistics and Programme Implementation, Government of India, reported in 2017 that there were 11,556 registered unions in India as opposed to 41,545 in 2000. Between 2000 and 2013, there was a startling 40% decrease in membership for these unions, from 5.42 million to 3.23 million.

The Federation of Trade Unions of Kazakhstan and the Confederation of Labor of Kazakhstan are the two republican trade union groups that are currently recognized in Kazakhstan. The Republican Association of Trade Unions advocates for the establishment of legislative protections for the republican level activities of trade unions, coordination of member organization actions in areas of representation, and defense of the social, labor, and membership interests.


As of right now, the national trade union organization known as the “Federation of Trade Unions of the Republic of Kazakhstan” is a non-profit organization that collaborates with regional and sectoral trade union groups.

So, the Federation of Trade Unions of the Republic of Kazakhstan (FTURK) is the most massive and representative organization of workers in the country, unites about two million trade union members. It includes 1 638 182 members, 16 178 primary trade union organizations, 23 industry trade unions, 17 territorial associations of trade unions with the main office in Astana.

The supreme body of the Federation is the Congress, which is convened once every five years. At the congresses, social and labor problems are discussed, the general policy of the Federation is determined, a program document for the long-term period of trade union activity is adopted, if necessary, amendments and additions are made to the Charter, governing bodies are elected.

Between the congresses, the work of the FTURK is led by a General Council of 65 representatives of all the republican, regional branch trade unions and regional trade unions, as well as an Executive Committee of 14 people elected from its composition.

The headquarters of the FTURK is in Astana, also there is a representative office in Almaty. The Federation of Trade Unions of Kazakhstan is headed by the Chairman Dauletalin Satybaldy Telagysovich.



The staff of the central office of the Federation deals with issues of socio-economic protection, labor law and labor protection, organizational, international, and informational work. To discuss issues of particular interest and relevance, republican conferences are regularly held with the involvement of representatives of a wide range of trade union activists, scientists, and specialists.

REVIEWS OF LITERATURE

One of Kazakhstan's most challenging times in modern history is one that is marked by the escalation of societal tensions, namely labor disputes. The disagreement between employees and employers about compensation and safety evolved into a strike that lasted a considerable amount of time. Industrial conflicts can have both objective and subjective root causes, which are sometimes difficult to discern from one another. In addition, there is a class of causes known as objective-subjective causes. For instance, labor disputes develop as a result of individuals or entire labor groups being unprepared for the new rules of work organization, failing to comprehend their significance, or having a dual perception of the circumstances.

According to Daniel Bell, the redistribution of money is the primary cause of the class struggle, which is the most severe type of social conflict.

Marcuse absolutizes role conflict, but he does not identify the social groupings in contemporary Western society that would be prepared to alter the current order; instead, he refers to the social groups that dissented from the established order.

Dahrendorf set the Marxist theory of class struggle in opposition to his theory. In contrast to Marx, he contends that the distribution of greater power and authority, not the distribution of wealth, is the primary source of conflict within the framework of all social institutions, and that the relationships of dominance and subordination are what give rise to competing interests. According to Dahrendorf, suppressing social conflict causes it to worsen while "rational regulation" causes "managed development." Despite the fact that the "liberal" society may organize the sources of conflict on the basis of competition between people, organizations, and classes, conflicts will inevitably arise.

Modern conflict experts all agree that any type of conflict may spur social development and avoid the ossification of the social structure. Therefore, it is now important to develop the activities of trade unions.

The largest trade union organization in the Republic of Kazakhstan is the Federation of Trade Organizations, which contains remnants of state-sponsored unions from the Soviet period. The Confederation of Free Trade Unions of Kazakhstan and the Confederation of Labor, two more independent organizations that assert to represent a sizeable portion of the labor force, have not done a good job of advancing the interests of workers.

In Kazakhstan, the freedom of labor is the guiding concept of the wage labor market. First and foremost, a man's freedom of labor is manifested in his choice of profession and vocation. This includes all conceivable types of independent employment as well as hired labor and entrepreneurial endeavors. Within the parameters set forth by the law, a person has the right to decide where, how, in what way, and in which field to apply his or her professional knowledge and skills. Forced labor is forbidden and is never allowed. Except in instances prescribed by law (in the form of execution of the court's certificate of punishment), it is illegal to make someone work against their will, regardless of their preferences, skills, or line of employment. The supply of employment for the populace as a citizen activity related with the satisfaction of personal requirements that do not contravene the Constitution, laws, and other normative legal actions of the Republic of Kazakhstan, and bring their earnings or money, is also covered by labor freedom. By adopting steps to lower unemployment, generate new jobs, encourage citizen labor and entrepreneurial efforts, and regulate the educational system, among other things, the state pursues a policy of population employment.

Without the assurances stipulating the employer's rights in the structure of the workplace, current labor law is unthinkable. These assurances include laws that govern how employers are allowed to organize their businesses, how their employees are held accountable for their behavior, how they are indemnified by their employees, etc. As a result, there are two primary ways to look at modern

labor law: first, as a branch of the law that assures the worker's ability to do their job and the employer's use of pay labor, and second, as a branch of the law that governs the whole market for wage labor as a whole.

Therefore, the primary function of labor law is to balance the interests of society, governments, and both employers and employees in the context of wage labor, to regulate behavior in this area while taking into account the interests of those involved, and to encourage improvements in working conditions and their outcomes. Basic text on labour law, unionization, and collective bargaining. West Academic Publishing.)

The essential principles of national rights, including those defining the original positions of the labor law, are established by the standards of constitutional rights, upon which the labor law is founded. Therefore, Article 24 of the Constitution of the Republic of Kazakhstan stipulates the right to freedom of work, the freedom of choice of a kind of activity and profession, the right to working conditions that meet safety and hygienic standards, the right to individual and collective labor disputes using the means authorized by law, including the right to strike, the right to payment for work without discrimination, the right to rest, and the right to a safe workplace.

Conclusions regarding the significance of this federation for working citizens have been made after reviewing the work of experts in the field of industry jurisprudence, particularly in the areas of constitutional law, labor law, and the right to social security, as well as information about the goal, program, and activities of the Federation of Trade Unions of the Republic of Kazakhstan. In order to offer a useful foundation for a study project that was built from statistical data, legal precedents, and on the stated problem, prior authors' scientific research findings were analyzed.

RESEARCH METHODOLOGY

Prior to creating our competence model, we conducted a thorough analysis of the existing studies, which led us to the conclusion that there is a dearth of academic research on competencies related to unionism.

The technique finds expression in the receptions, tools, and methods used to impact how a research is conducted. The uniqueness of the public relations that the Republic of Kazakhstan's current labor law regulates necessitates a distinctive legal study methodology. The following indicators can be used to define the study methodology of Kazakhstan's current economic interactions with regard to labor law: In establishing working conditions, a combination of centralized, local, and contractual methods is used. Social and partner agreements are widely used in regulating public relations, and the collective agreement with engaging agents of the parties of social partnership; participation of workers in the establishment and change of workplace policies is also common.

Since the implementation of market reforms, the Republic of Kazakhstan has gradually moved away from the centralized regulation of the labor market, but any state, regardless of the degree of its economic development, cannot refuse the centralized regulation of application of wage labor because it is necessary in all social and economic circumstances to protect worker labor rights and to set the wage scale. The following aspects of the labor process are now defined by means of centralized legislation and are not covered by the Labour Law: A work method under risky, damaging circumstances includes work restriction, worker qualification definition, etc.

Achieving productive and freely chosen work for citizens should be the goal of state policy and a set of legislative and organizational measures that are implemented. The government is committed to ensuring that all people—Kazakhs, foreigners, and stateless people—have equal access to opportunities for employment, fair and supportive working conditions, and social protection against unemployment. These goals include ensuring productive employment, lowering unemployment, and creating jobs.

RESULTS AND DISCUSSION

The common perception in Kazakhstani society is that trade unions' rights are insufficient to affect how social and labor relations are implemented, to safeguard the rights and interests of their members, and generally to influence how social policy is formed. In our judgment, trade unions'

diminished impact in this field has been correlated with their diminished ability to contribute to the funding of charitable endeavors and, in some circumstances, their shoddy use of legal rights.

Kazakhstan is a country with one of the highest ratios of economically active to self-employed people in the whole globe. Therefore, based on statistics from the websites <http://www.oecd.org> and www.oil.org in Kazakhstan, more than 24% of the population will be self-employed in 2020, obtaining the fifth spot on the list behind Brazil with 33%, Greece with 22%, Mexico with 30.5%, and Turkey with 30%.

The "American" idea is defined by granting the parties to labor relations as much leeway as possible in controlling the relationships resulting from the employment contract. It is founded on the theory of confrontation between employees and the employer. This philosophy is founded on the inviolability of free competition and the autonomy of subjects of labor relations in the context of a free market. This has the obvious result of minimizing the role of the government in regulating labor relations. As a result, the organization itself regulates labor relations, mostly through the signing of collective bargaining agreements. The regulation, which yet maintains the unique characteristics of the Anglo-American legal family, places a significant deal of significance on judicial practice, which in fact generates the rule of law.

Based on the "continental" theory, European systems of labor relations regulation are significantly more socially oriented and limited in how much the government meddles in labor relations. European nations (especially France) heavily rely on legislative labor regulation based on the definition of social priorities in the activities of the state. In the framework recommended by the state, they recognize and protect the independence of the parties to labor relations, the primacy of collective agreements, and other forms of their regulation directly in the organization and in the industry.

The freedom of association is guaranteed to all people by Article 23 of the Constitution, which also states that the operations of public groups are subject to legal restrictions. In the Republic of Kazakhstan, trade unions are a particular kind of public association of persons founded on a voluntary basis to pursue common objectives that do not contravene the law. A non-profit organization is a trade union.

Trade unions in the Republic of Kazakhstan (trade unions) are autonomous organizations with voluntary membership that are freely established by citizens on the basis of their shared professional interests in the representation and defense of labor as well as other socioeconomic rights and interests of their members, protection, and advancement of working conditions. Every person who engages in their line of work or profession has the freedom to create trade unions to represent their interests, to join them, to take part in union activities, and to dissolve them at any time. This right is freely exercised without requesting consent. In addition, being a member of a union does not restrict any legal protections for a citizen's personal, political, socioeconomic, or labor rights. It is against the law for an employer to decide an employee's employment, promotion, or termination on their own initiative because of their membership in a particular trade union or their entry into or withdrawal from it.

HISTORY

The trade union movement of Kazakhstan originates in the beginning of the XX century. In Soviet times, the activities of all trade unions of the Republic were led by a single central body - the Kazakh Council of Trade Unions (Kazsovprof).

Created on December 6, 1905, the Union of Workers of the Assumption Copper Mine, which was located on the territory of the present Karaganda region, is officially recognized as the first trade union organization in the country.

On October 10, 1990, the XIV Congress of Trade Unions of Kazakhstan adopted a Declaration on the formation of the Federation of Trade Unions of the Kazakh SSR - the successor of Kazsovprof. Ermek Zhakselekov became the first chairman of the Federation of Trade Unions.

The Federation declared its independence from state authorities, employers, and political parties, and set the main goal of consolidating the actions of trade unions, representing and protecting the

socio-economic, labor rights and interests of trade union members, and ensuring the rights and freedoms of trade unions.

The last decade of the XX century was a period of reform and renewal of activity for trade unions of Kazakhstan, search and approval of new forms and methods of work. At that time, Kazakhstan, as a young independent state, was experiencing a turning point, large-scale, often painful, social and economic reforms were carried out in the country. All this time, the Federation of Trade Unions was an active participant in the construction of a new life, was together with the people, tried to keep up with the course of history.

Kazakhstan has ratified 24 ILO conventions, 8 of them are fundamental.

GENDER POLICY

The main objective of labor union gender policies is to eliminate all forms of discrimination in the areas of pay, protection, and safety of the workplace as well as in a variety of economic and social activities for women. Additionally, recommendations for future improvements in the working conditions for women are developed. Professional unions already have a specific task that includes carrying out decisions made by top labor union authorities to achieve gender equality, defending the rights and legitimate interests of female union members, and ensuring their active participation in sociopolitical processes.

For the implementation of the concept of family, plans have been put in place to ensure equal rights and opportunities for men and women, the protection of motherhood and childhood, social support for women, the resolution of gender issues in the area of socio-labor relations, equal support for men and women who care for children and their upbringing, equality in the payment of men and women, and increasing the participation of women in management roles.

Draft regulatory legal actions pertaining to the rights and freedoms of men and women are actively discussed by the Commission of the Federation of Labour Unions' legislative activity.

The ILO Nos. 183 "On the Protection of Motherhood" and 156 "On Equal Treatment and Equal Opportunities for Workers of Men and Women" were approved with the direct involvement of representatives of the labor union federation.

In terms of social equality for men and women, the combined efforts of social partners were successful in producing some favorable outcomes. The general public and labor organizations have been more conscious of gender concerns in recent years. They are represented in international treaties and accords as well as national legislation. Both the proportion of women in senior union leadership positions and the size of the female workforce reserve are rising. Women are becoming more influential in the global labor movement.

Kazakhstan has made some success in implementing gender policies, in the area of defending the rights and legitimate interests of women, during the course of its independence. A legislation "On state guarantees of equal rights and equal opportunities for men and women" was approved by the Republic of Kazakhstan in 2009. The Concept of Family and Gender Policy in the Republic of Kazakhstan until 2030 was authorized by Decree of the President of the Republic of Kazakhstan No. 384 dated December 6, 2016.

Kazakhstan is ranked 72nd out of 153 countries in the World Economic Forum's Global Gender Gap Report 2020, which measures the severity of the current gender divide. The four primary variables of economic participation, job possibilities, education, health, and political rights will define the global gender gap index. Also, Kazakhstan is ranked 37th out of 153 countries in the world for the economic involvement and career potential of women. Belarus is ranked fifth among EAECC nations, and Russia is ranked 32nd. Kazakhstan is below Kyrgyzstan (88th rank) and Armenia (78th place).

In Kazakhstan, the pay difference between men and women is 32.2%. Women made about 4.2 million of the occupied population in 2020, or 48.2% of the total. The unemployment rate was 4.9% overall, 4.4% for males and 5.4% for women. Women in Kazakhstan participate actively in labor unions. 52.5% of all union members are women, with 17.3% of those leading sectoral unions, reaching a maximum of 23.5%. In the FTURK's collegial organizations, women make up 26% of the General Council and 47% of the Executive Committee.

Women in the system of the Federation of Labour Unions of the Republic of Kazakhstan

year	number of women	%
2015	1 077 894	58%
2016	1 074 777	54,4%
2017	1 099 225	54,9%
2018	1 099 225	54,9%
2019	956 535	55,4%
2020	860 345	52,5%

In recent years, there has been a decline in the total number of trade union members. Table 1 also shows a decrease in the number of women who are members of trade unions. In 2015, the data was 58%, and after 5 years the figure is already lower and the percentage of women in trade unions is 52.5%. Judging by the above data, it can be understood that the number of men and women are equal in FTURK.

TRADE UNIONS AND YOUTH

The Federation of Trade Unions of the Republic of Kazakhstan (hereinafter referred to as the Federation) gives systematic effort to build and activate the trade union youth policy significant attention in its activities. The youth policy of the Federation aims to systematize trade union work with young people, specify long-term positions in positive interaction with state and public organizations in the field of protecting the legitimate rights and interests of young people, replenish trade union ranks and train young people to lead trade unions, use cutting-edge technologies, and develop youth projects within the trade union movement.

The Federation of Trade Unions of the Republic of Kazakhstan's Youth Council underwent a name change to become the Youth Council "Keleshek" in 2014. The Federation of Trade Unions of the Republic of Kazakhstan's youth division, "Keleshek," is not a formal organization.

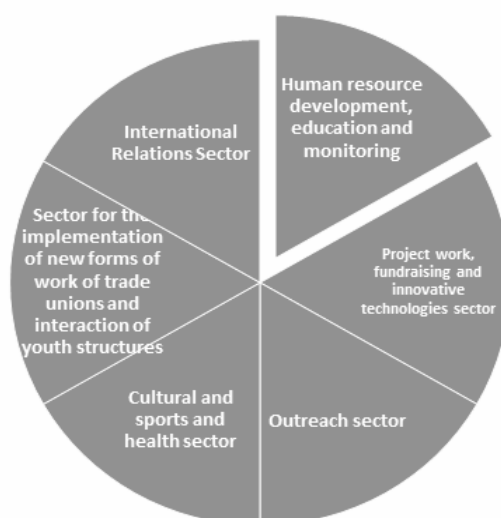
448,516 persons under the age of 35 are estimated to be trade union members as of January 1, 2021. The execution of the FTURK's youth policy is coordinated by representatives of the Youth Council "Keleshek" in 14 regions and the cities of Nur-Sultan, Almaty, and Shymkent. Khamitzhanova Dariya Khamitzhanovna was chosen as the chairman of the FTURK Youth Council "Keleshek" during its meeting on November 30, 2019.

The Mission of "Keleshek" is protection of the rights and legitimate interests of young people through informing young people about their rights in the sphere of social and labor relations, education and professional training, and attracting young people to trade unions.

The tasks of the Youth Council are:

- the defense of young people's legal rights and legitimate interests in matters of social and professional relationships;
- the education and advancement of young union leaders at all levels;
- promotion of youth union activities in the media and on social media;
- encouraging youth self-organization and the execution of creative youth initiatives.

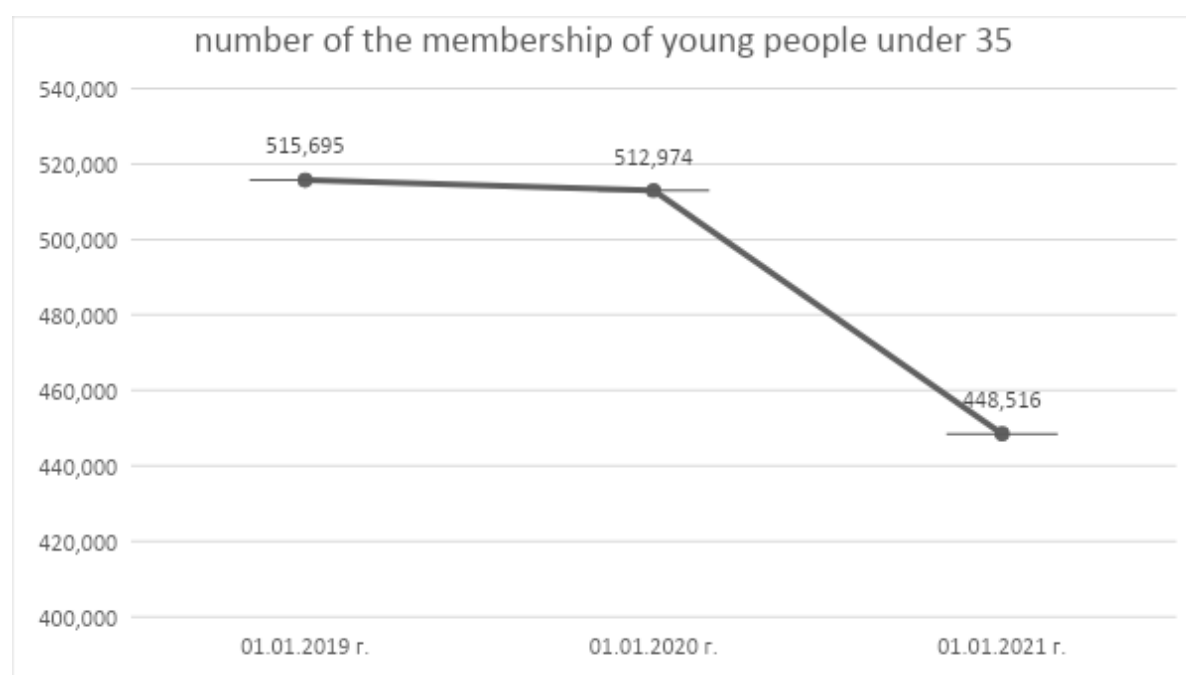
Sectors of activity of "Keleshek" we can see in pie chart below (Graph 1)



Youth councils have been established at industrial trade unions and trade union centers, trade union school "Keleshek" was established to train young trade union leaders, and a book club "ProfBookClub" was founded for trade union members and their friends. All of these initiatives were carried out in accordance with the FTURK Youth Policy Program for 2017-2020. Memorandums and agreements were reached with the Youth Wing "Zhas Otan" at the party "NurOtan," ALE "Congress of Youth of Kazakhstan," the Corporate Fund "KEA" (Kazakhstan En'bek Adamy) for the implementation of youth initiatives, and the volunteer headquarters "Keleshek" to provide assistance to socially vulnerable categories.

As of 01.01.2021, the number of youth of the Federation under 35 years of age amounted to 448,516 people, of which 290,877 were under the age of 29. Accordingly, this amounts to 27% and 17% of the total number of trade union membership of the Federation of Trade Unions.

According to the statistics of the Federation, the dynamics of the membership of young people under 35 in the trade union ranks shows a decline (Graph 2).



Trade unions have been quickly losing members and power over the past few years. This is brought on by various socioeconomic and political factors in various nations for various reasons. Graph 2 also

shows a significant decline in the number of young trade union members under 35 from 515,695 to 448,516, that is, the number of young people has decreased by 13% over the past 3 years.

The sharp decline in the number of young trade union members in 2020 is based on several factors, such as job cuts and the suspension of enterprises as a result of the pandemic, the loss of members in student primary trade union organizations. Also, factors such as the tendency of young people to question the benefits of participation in the trade union movement, the need to pay a membership fee, influenced. Passive trade union members are more likely to leave the ranks of trade union organizations in the future, which indicates the need to constantly involve existing members in trade union work in order to prevent their departure.

The main reasons and advantages of youth membership in a trade union are: improved pay and working conditions, faith in the trade union movement and hope for support in case of problems at work. This suggests that the main reason for joining trade unions for young people is still the collective protection of their interests before the employer.

Trade unions are working to boost their reputation in an effort to buck this trend, frequently by implementing novel tactics like recruiting new members and stepping up their efforts to bring people together and form coalitions. The main goal of all these strategies is to make trade unions more appealing to the demographics that traditionally do not actively participate in the movement, especially working youth.

CONCLUSION

The trade unions are vital public organizations that aim to protect the economic, socio-cultural rights, and interests of workers, irrespective of their profession, race, nationality, gender, or religious beliefs. They play a significant role in addressing systemic challenges in the world of work, such as climate change, globalization, and demographic shifts. Additionally, trade unions work towards the adoption of inclusive social protection measures and the promotion of inclusive, equitable, and sustainable development. Despite a recent decline in the number of trade unions and union membership globally, they continue to advocate for improved working conditions, salary, and social issues related to employment policy, social harmony, and the development of labor culture.

The Federation of Trade Unions of the Republic of Kazakhstan (FTURK) is the most massive and representative organization of workers in the country, unifying about two million trade union members. It is essential to recognize the valuable role of trade unions in protecting the rights and interests of workers and in promoting a just and inclusive economy.

The Federation of Trade Unions of the Republic of Kazakhstan has made significant efforts to build and activate the trade union youth policy in its activities. The Youth Council "Keleshek" has been established to protect the rights and legitimate interests of young people, educate and advance young union leaders, promote youth union activities, and encourage youth self-organization and the execution of creative youth initiatives.

However, the statistics of the Federation show a decline in the number of young trade union members under 35, which is attributed to various factors such as job cuts, suspension of enterprises due to the pandemic, loss of members in student primary trade union organizations, and the tendency of young people to question the benefits of participation in the trade union movement. Trade unions are working to boost their reputation and make themselves more appealing to the demographics that traditionally do not actively participate in the movement, especially working youth.

The main objective of FTURK in gender policies is to eliminate all forms of discrimination in various areas, such as pay, protection, and workplace safety for women. Professional unions play a crucial role in implementing these policies, carrying out decisions made by top labor union authorities, and ensuring the active participation of women in sociopolitical processes. Plans have been put in place to ensure equal rights and opportunities for men and women, protect motherhood and childhood, provide social support for women, and address gender issues in socio-labor relations. The drafting of regulatory legal actions pertaining to the rights and freedoms of men and women is an ongoing process, with the involvement of labor union federations.

In the future, it is essential to continue addressing gender equality in the workplace, ensuring equal rights and opportunities for men and women, and promoting the involvement of women in management roles. By implementing these policies and recommendations, labor unions can contribute to a more equitable and inclusive society for both men and women.

In conclusion, trade unions in Kazakhstan have been perceived to have insufficient rights to influence social and labor relations, safeguard the rights and interests of their members, and influence social policy formation. This has been attributed to their diminished ability to contribute to charitable endeavors and their poor use of legal rights. Kazakhstan has a high ratio of self-employed people, and the country's labor relations regulation is founded on the theory of confrontation between employees and employers. The freedom of association is guaranteed by the Constitution, and trade unions are autonomous organizations with voluntary membership. However, Kazakhstan has been criticized for its institutional corruption of labor unions, which has weakened their capacity to protect labor rights and promote employees' interests. The government has also been accused of clamping down on union activity, denying registration to independent unions, and harassing union leaders. Kazakhstan's partners have urged the country to revise its repressive trade union laws and allow independent unions to register and operate.

REFERENCES

- [1] Aris, R. (1998). *Trade Unions and the Management of Industrial Conflict*. Palgrave Macmillan, London.
- [2] Atleson, J., Compa, L., Rittich, K., Sharpe, C., Weiss, M.S. (2008). *International Labour law: cases and materials on workers' rights in the global economy*, Thomson West, 2008.
- Atleson, J.B. (1983). *Values and assumptions in American Labour law*, Massachusetts: University of Massachusetts Press.
- Barnard, C., Deakin, S. (2002). 'Negative' and 'positive' harmonization of Labour law in the European Union, *Columbia Journal of European Law* 8(3):389-396.
- [3] Beissenova A., Nurbekova Z.H., Zhanazarova Z., Dzyurenich Y., Turebayeva A. (2013). Labour conflicts in Kazakhstan: A specific character of their solution. *Procedia-Social and Behavioral Sciences*, 2013.
- Compa, L.A. (2008). Corporate social responsibility and workers' rights, *Comparative Labour Law and Policy Journal* 30(1), 1-10.
- [4] Dr. Yaraslau Kryvoi. (2006). *National Labour Law Profile: Kazakhstan Contributed*, November, 2006.
- [5] Draft "Trade Union law" will solve disparity in workers' wages, *Zakon.kz*, November 18, 2013.
- Friedman, S. (1994). *Restoring the promise of American Labour law*, New-York: Cornell University Press.
- Fudge, J. (2007). The new discourse of Labour rights: From social to fundamental rights, *Comparative Labour Law and Policy Journal* 29: 29-37.
- [6] Galiakbarova G., Saimova Sh., Berdiyaraova Zh. and Tassova A. (2016). Legal Analysis of Individual Labor Disputes in the Republic of Kazakhstan, *Indian Journal of Science and Technology*, Vol 9(14), 2016.
- [7] ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
- [8] Khamzina Zh., Buribayev Y., Almaganbetov P., Tazhmagambet A., Samaldykova Z., Apakhayev N. (2020). Labor Disputes in Kazakhstan: Results of Legal Regulation and Future Prospects, *Journal of Legal, Ethical and Regulatory Issues*, 2020.
- [9] Khamzina Zh., Buribayev Y., Taitorina B. (2021). Gender Equality in Employment: A View from Kazakhstan, *Anais da Academia Brasileira de Ciências* 93(4), 2021.
- [10] Khamzin, A.S., Khamzina, Z.A. (2016). Constitutional Law Fundamentals of the State Administration of the Social Sphere in the Republic of Kazakhstan, *International Journal of Environmental and Science Education*, 2016.
- Khamzina, Z.A., Buribayev, Y.A. (2016). *Legal Regulation of Employment in Kazakhstan*,

- International Journal of Environmental and Science Education 11(18): 11907-11916.
- Kolben, K. (2009). Are Labour Rights Human Rights?, Virginia Journal of International Law, 2009.
- [11]Kraus, J. (2007). Trade Unions and the Coming of Democracy in Africa. Palgrave Macmillan, New York.
- [12]Labour code of the Republic of Kazakhstan, Code of the Republic of Kazakhstan dated 23 November, 2015 no. 414-V.
- [13]Langille B. (2011). Labour Law's Theory of Justice, The Idea of Labour Law, 2011.
- [14]Laura Carlson. (2020). Kazakhstan and ilo Convention, International Labor Rights Case Law, 2020
- [15]Laura Feiveson (2023). Labor Unions and the U.S. Economy.
- [16]Lazzat Ramazanova. (2022). Genuine gender equality sought in Kazakhstan reforms, Media network, 2022.
- [17]Manila Philippines (2022). Trade unions adopt conclusion for just economy, decent work in South-East Asia.
- [18]Marcia Munoz, Anders Høg Hansen (2018). Youth and trade unions Case study in a post-conflict country as Colombia, Communication for Development Master thesis, 2018.
- [19]Marcus Kahmann. (2002). Trade unions and young people challenges of the changing age composition of unions, DWP, 2002.
- [20]Mihra Rittmann (2021). ILO Slams Kazakhstan for Long-Standing Labor Rights Abuses Government Urged to Fully Implement Reforms, Central Asia, 2021
- [21]Mihra Rittmann. (2021). ILO Slams Kazakhstan for Long-Standing Labor Rights Abuses Government Urged to Fully Implement Reforms.
- [22]Philippe Dam. (2019). Kazakhstan's Workers' Rights Crackdown Under Fresh Scrutiny Reforms Urgently Needed to Protect Unions and Employees.
- [23]Slyamzhar Akhmetzharov and Serik Orazgaliyev. (2021). Labor unions and institutional corruption: The case of Kazakhstan.
- [24]Statistics from official website of the national trade union association «Federation of Trade Unions of the Republic of Kazakhstan» about the gender policy <https://kasipodaq.kz/strategy-2/gender-policy/>
- [25]Statistics from official website of the national trade union association «Federation of Trade Unions of the Republic of Kazakhstan» about the trade-unions and youth <https://kasipodaq.kz/strategy-2/trade-unions-and-youth/>
- [26]Summary Conclusions Joint OECD-DAC and Trade Union forum Promoting Inclusive and Sustainable Development: The Potential for Donors and the Labour Movement to Support Responsible Business for Development Impact, (2017).
- [27]The Law of the Republic of Kazakhstan "On professional unions" (27 June, 2014 No. 211-V.).
- [28]Young workers: attitudes to work, unions and society Report for the European Federation of Public Service Unions (EPSU), 2019
- [29]Zhumabayeva A., Nurmagambetov A. (2023). Platform employment and the obligation to conclude an employment contract in the Republic of Kazakhstan: issues of theory and practice', Access to Justice in Eastern Europe, 2023.