Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







LEGAL LIMITS OF CIVIL-SERVICE WORKLOAD: WORKING TIME, ADDITIONAL ASSIGNMENTS AND SAFEGUARDS AGAINST THE DE FACTO EXPANSION OF OFFICIAL DUTIES

Mukhlisa P. Ibragimova
PhD in Law, Lecturer, Department of Internationa
l Law and Public Legal Disciplines,
University of World Economy and Diplomacy (Tashkent, Uzbekistan)
ORCID: 0000-0002-7490-1587 · m_ibragimova@uwed.uz
i.mukhlisa57@gmail.com
https://doi.org/10.5281/zenodo.23056244

Abstract. The paper examines whether the workload of a state civil servant is a legal category forming part of the conditions of civil service or merely a managerial matter. Analysis of the Law of the Republic of Uzbekistan "On State Civil Service" shows that working time beyond normal hours is regulated, while additional assignments within a position, their scope, duration, documentation and compensation are not. Survey data show that 41% of civil servants report a mismatch between actual and established working time and 43% regularly perform tasks outside their job description. A model linking position, functions, duties, additional assignments and compensatory consequences is proposed, together with legislative amendments.

Keywords: state civil service; workload; working time; additional assignment; job description; official duties; legal certainty.

1. Introduction and relevance

The legal regulation of civil service traditionally concentrates on recruitment, duties, restrictions, discipline, performance assessment and liability. The actual volume of work imposed on a civil servant receives considerably less attention and is usually treated as a matter of internal management. Yet workload has a direct legal dimension. Where the volume and content of assigned work are not delimited by law, additional assignments can in practice expand official duties beyond the scope of the position, erode working-time guarantees, blur the boundaries of professional responsibility and open the way to arbitrary managerial practices, with consequences for the quality and legality of administrative decisions.

The central question addressed here is to what extent the workload of a civil servant should be treated as a legally regulated element of the civil-service status rather than an internal managerial matter, and which safeguards are required to prevent additional assignments and work beyond established hours from effectively expanding official duties without procedural and compensatory guarantees. The analysis distinguishes normative findings (what the law provides), empirical findings (what the survey of civil servants conducted within my research shows) and my proposals.

2. Legal nature of civil-service workload

Normative framework. Under the Law of the Republic of Uzbekistan "On State Civil Service", the job description is the document that determines the official powers, service duties and liability of a civil servant; it is approved by the head of the state

Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







body or established by legislation, and the servant must be acquainted with it against signature before signing the labour contract (Article 35) [1]. The servant has the right to be acquainted with the job description and other documents determining his or her powers, duties and liability (Article 11), and the right to pay corresponding to the specific nature and complexity of the duties and the quantity and quality of the work performed (Article 11) [1]. The labour contract must specify the grounds and conditions of service, the rights, duties and liability of the servant and the restrictions connected with service (Article 30) [1]. Workload is therefore not legally indifferent: the scope of work is anchored in the job description, the contract and the right to proportionate pay.

I classify the duties of a civil servant into three groups: general (civic) duties incumbent on every citizen under the Constitution; basic service duties common to all civil servants irrespective of position and established by the Law; and special service duties performed within the competence of a specific position, building on the classifications proposed in the doctrine [3; 4; 11]. The second part of Article 12, according to which civil servants may bear "other duties in accordance with legislation", is a reference norm [1]. Its wording is significant: additional duties may derive from legislation, not from managerial discretion. I understand competence (vakolat) as the set of legal possibilities exercised by a state body or official on the basis of rights and duties established by laws and other normative legal acts, subject to the principles of legality, transparency and accountability. It follows that a task is lawfully assigned only where it falls within the competence of the state body and corresponds to the competence of the position.

On this basis, the following categories must be distinguished: duties inherent in the position (the job description); tasks arising directly from the competence of the position; temporary additional assignments; substitution for an absent colleague; tasks arising from instructions of a superior; work beyond established hours; and permanent de facto expansion of official functions. The Law regulates only some of them. Transfer to another civil-service position requires the servant's written consent (Article 38); temporary secondment to perform the duties of a position in another state body is limited to one year, requires written consent and preserves pay at a level not lower than in the main position (Article 41); work beyond working hours is regulated by Article 34 [1]. By contrast, temporary additional assignments within the same position, substitution and the gradual enlargement of functions are not specifically regulated by the Law.

This allows a distinction to be drawn between a lawful additional assignment — a task issued by a competent superior, within the competence of the state body, connected with the functions of the position, limited in time and proportionate to working time — and an unlawful or disproportionate expansion of official duties, where tasks fall outside the position's functions, become systematic or permanent, or are performed without a legal basis for their duration and compensation. The general duty to perform service duties conscientiously cannot, by itself, justify the latter.

3. Working time and civil-service status

Normative framework. Article 34 of the Law establishes a five-day working week not exceeding forty hours; a working time of no more than thirty-five hours for one parent (or person replacing a parent) of a child under three years of age; and the possibility of a six-day week, depending on the specifics of service, within the same

Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







total hours. Work beyond the working time established by the state body is defined as work beyond working hours. A civil servant may be engaged in such work without consent only in natural or man-made emergencies; otherwise engagement in work beyond working hours, on days off and on non-working holidays is carried out on the basis of a decision of the head of the state body in compliance with labour legislation. Compensation is provided by payment of at least double the rate for the hours actually worked or by additional rest of equivalent duration [1]. In matters not regulated by the Law, labour relations of civil servants are governed by the Labour Code (Article 2) [1; 2].

The public nature of civil service can justify a broader obligation to work beyond ordinary hours, but the Law confines it within clear limits: the obligation without consent is limited to emergencies, all other cases require a formal decision of the head, and every case gives rise to compensation. The Law thus already treats working time as a legal, not a purely managerial, category. Two gaps remain. The Law does not address an irregular working day or the systematic, informal extension of working time without a formal decision of the head; and the service of civil servants of the political group is governed by separate laws and presidential acts (Article 33) [1], so the applicability of Article 34 to them requires clarification.

4. Additional assignments

Measured against the questions that any regime of additional assignments must answer, the current legislation gives only partial responses. Who may issue an assignment: the Law entrusts the decision on work beyond working hours to the head of the state body (Article 34), but says nothing on the issuing authority for additional tasks within working hours. Competence: the requirement that an assignment fall within the competence of the state body follows from the principle of legality (Article 5) and from the concept of competence, but is not formulated expressly. Correspondence to the position: the job description defines the scope of duties (Article 35), but the Law does not determine the extent to which tasks outside it may be assigned. Form, duration, scope and documentation: written form is required for transfer and temporary secondment (Articles 38 and 41) but not for additional tasks within the position. Consent: required for transfer and secondment, not for additional tasks. Remuneration: guaranteed for work beyond working hours (Article 34) and in general form through the right to pay proportionate to the volume of work (Article 11), but there is no specific rule on compensation for additional tasks performed within working hours. Transformation into permanent expansion: the Law contains no criterion identifying when a temporary assignment becomes a de facto change of the position's scope that should instead be formalised through a change of the job description and the labour contract.

Where these gaps exist, the Labour Code applies subsidiarily (Article 2). Whether its rules on changes to working conditions and on combination of functions apply to civil servants, and to what extent, must be determined for each issue; the Law itself does not answer this question.

5. Empirical evidence

The survey of civil servants conducted within my research provides the empirical basis for assessing how the formal scope of official duties compares with the actual scope of work performed.

Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







When asked to what extent the working time established in the labour contract (40 hours per week) corresponds to actual working time, 15% of respondents answered that it fully corresponds, 26% that it partly corresponds, 41% that it does not correspond, and 37% found it difficult to answer. When asked whether they perform tasks beyond those set out in their job description during the working day, 43% answered that they do so often, 37% that they do so, but rarely, 13% that they work only in accordance with the job description, and 7% found it difficult to answer. When asked whether their pay takes account of the performance of additional tasks, 21.7% answered that it fully does, 29.1% that it partly does, 21% that it does not, and 19% found it difficult to answer. As to the correspondence of working conditions at the workplace with the legislation in force, 25.2% answered fully, 26.1% partly, 24.3% not at all, and 24.3% found it difficult to answer. Among measures needed to improve working conditions, reducing working time was named by 40% of respondents.

These findings have a direct legal meaning. Only 13% of respondents perform exclusively the duties contained in their job description; for the overwhelming majority the actual scope of work exceeds the formal scope of the position, and for 43% this is a regular pattern rather than an exception. The largest single group (41%) reports that actual working time does not correspond to the statutory forty-hour limit, while the regime of Article 34 presupposes a formal decision of the head and compensation for every hour beyond it. Only 21.7% report that additional tasks are fully reflected in pay. Taken together, the data support the hypothesis that the existing legal framework does not sufficiently delimit additional workload: the job description does not in practice function as a legal limit of duties, and work beyond it is performed largely outside the procedural and compensatory mechanisms that the Law provides for work beyond working hours.

6. Comparative legal analysis

The functional question is which legal mechanism determines the scope of a civil servant's duties and thereby distinguishes legitimate flexibility from arbitrary expansion of workload. The systems examined in my research offer two distinct answers.

In the public-law model represented by Germany and Japan, the civil servant acts on behalf of the state and the scope of duties and conditions of service are determined by statute rather than by contract. The servant bears broad statutory duties of loyalty, conscientious performance and impartiality, which give the administration considerable flexibility in assigning tasks; this flexibility is counterbalanced by statutory guarantees of the stability of the service relationship, such as the rule of the Japanese National Public Service Act that no civil servant may be dismissed without due grounds (Article 75), and by a comprehensive statutory system of guarantees [5; 6; 7].

In the labour-law model represented by the United Kingdom and Estonia, civil servants (in Estonia, after the 2012 reform, most public employees other than those exercising public authority) work under employment contracts; working time, leave and working conditions are governed by general employment law and, in the United Kingdom, by the Civil Service Management Code [8; 9; 10]. The scope of duties is fixed by contract, and its expansion is in principle a matter of contract variation subject to labour-law protection.

Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







Uzbekistan combines elements of both: service is performed on the basis of a labour contract (Articles 30 and 33), while the job description defining duties is approved unilaterally by the head of the state body (Article 35) [1]. This hybrid arrangement lacks the safeguard of either model: it gives the administration public-law flexibility without statutory limits on additional assignments, and a contractual form without the contractual protection against unilateral expansion of duties. The comparative lesson is that flexibility is legitimate only where it is bounded either by statute or by contract. It should be noted that the detailed working-time and overtime rules of these jurisdictions were not the subject of my comparative research; the comparison is therefore confined to the structural level.

7. Relationship with the duty to comply with superior instructions

Additional assignments are ordinarily issued in the form of instructions of a superior. The Law, however, does not treat instructions as unconditionally binding: the servant has the right to refuse to execute unlawful instructions and demands of the management of the state body (Article 11), and damage caused as a result of executing an unlawful instruction is compensated by the state body with recourse against the official who issued it (Article 14) [1]. The obligation to follow instructions therefore cannot be read as an unlimited obligation to perform any task assigned by management. For the purposes of workload, its limits can be expressed as a sequence: authority to issue the instruction → connection of the task with the competence of the state body and of the position → lawfulness of the assignment, including its compliance with working-time rules → limits of the servant's obligation to perform it. A task that fails at any stage of this sequence cannot be derived from the general duty of subordination.

8. Main legal problems

The analysis shows that Uzbek legislation does not sufficiently regulate: the permissible scope of additional assignments within a position; their duration and frequency; the documentation of additional tasks performed within working hours; compensation for such tasks, as distinct from compensation for work beyond working hours; protection against the systematic assignment of functions outside the position, which in substance changes the job description without the procedure for changing the labour contract; and mechanisms for challenging an excessive or legally unjustified workload. The general rights to complain about unlawful decisions and actions of the state body and its officials and to apply to the specially authorised state body (Article 11) [1] exist, but they are not linked to any substantive criterion of permissible workload against which a complaint could be assessed; service duties thus remain formulated declaratively, without a defined procedure for establishing when they have been exceeded [12]. By contrast, work beyond working hours is regulated relatively fully by Article 34; the problem, as the survey shows, lies in the fact that much additional work is performed without being formally qualified as such.

9. Doctrinal position

I argue that workload cannot be treated exclusively as an organisational or managerial category. Where it affects the scope of a civil servant's duties, working time, responsibility and remuneration, it becomes a legal category forming part of the conditions of civil service and, consequently, of the civil servant's legal status. Its legal regulation can be expressed through the following sequence:

Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







civil-service position → competence of the state body and of the position → official functions fixed in the job description → normal service duties within established working time → additional assignment → legal basis and limits (authority, connection with competence, duration, form) → compensatory consequences (pay or rest) → formalisation of a permanent change through amendment of the job description and the labour contract.

The final element is essential. An assignment that ceases to be temporary is no longer an additional assignment but a change in the content of the position, and must be brought within the legal forms that govern such changes, including the servant's right to be acquainted with the amended job description and to proportionate pay.

10. Legislative proposals

First, the Law "On State Civil Service" should define an "additional official assignment" as a task not provided for in the job description, issued by the head of the state body or an authorised official, within the competence of the state body and connected with the functions of the civil servant's position, for a limited period.

Second, additional assignments exceeding a period established by law, or involving work beyond working hours, should be issued in written or electronically recorded form indicating their content and duration.

Third, the Law should provide that an additional assignment performed systematically or beyond the established period constitutes a change in the scope of the position, which requires amendment of the job description with the civil servant's acquaintance and, where the labour contract is affected, the procedure for changing the contract.

Fourth, the right to pay proportionate to the volume of work (Article 11) should be supplemented by a rule on compensation, in the form of additional pay or additional rest, for additional assignments that materially increase the workload within working hours.

Fifth, the civil servant should have the right to challenge an assignment that falls outside the competence of the state body or the functions of the position, or that exceeds the statutory limits, before a higher body, the specially authorised state body or a court, using the criteria defined in the Law as the standard of review.

11. Conclusion

Managerial flexibility is indispensable in civil service, but it cannot eliminate the principle of legal certainty concerning the scope of official duties. The Uzbek legislation already regulates work beyond working hours as a legal category with procedural and compensatory guarantees, but leaves additional assignments within the position outside legal delimitation. The survey data show that it is precisely in this unregulated zone that the actual scope of work departs from its formal scope. A lawful civil-service system must maintain a balance between administrative flexibility and the legal predictability of the civil servant's workload. Clear legal limits on additional assignments protect not only the individual civil servant but also the quality, legality and effectiveness of public administration, since duties performed outside the competence of the position blur responsibility and undermine the reliability of administrative decisions.

Email:

conference@houghtonstreetreview.com

Website:

www.houghtonstreetreview.com/index.php/conference

© 2026 International Online Conference on Multidisciplinary Academic Research. All Rights Reserved.

Editor-in-Chief:

Dr. Ewelum Johnson Nnadi

Managing Editors:

1.Harold Jan R. Terano

2.Dr. Mandakini Singla

3.Massoud Kaykhaii







References

1. Law of the Republic of Uzbekistan “On State Civil Service” No. ZRU-788 of 8 August 2022 (as amended on 21.09.2024), Articles 2, 5, 11, 12, 14, 30, 33, 34, 35, 38, 41. URL: https://lex.uz/docs/6145972
2. Labour Code of the Republic of Uzbekistan (new edition). URL: https://lex.uz/docs/6257288
3. Manokhin V.M. Sluzhba i sluzhashchiy v Rossiyskoy Federatsii: pravovoe regulirovanie. Moscow: Norma, 1997.
4. Nozdrachev A.F. Gosudarstvennaya sluzhba v Rossiyskoy Federatsii. Moscow: Yurist, 2003. P. 64.
5. Bundesbeamtengesetz (BBG) of 5 February 2009.
6. Grundgesetz für die Bundesrepublik Deutschland, Article 33.
7. National Public Service Act of Japan (Act No. 120 of 1947). URL: https://www.japaneselawtranslation.go.jp/en/laws/view/1917/en
8. United Kingdom. Civil Service Management Code. URL: https://www.gov.uk/government/publications/civil-servants-terms-and-conditions
9. Estonia. Public Service Act. URL: https://www.riigiteataja.ee/en/eli/509072014003/consolide
10. Verheijen T.J. (ed.). NISPAcee Proceedings: The Past, Present and the Future of Public Administration in Central and Eastern Europe. Bratislava, 2012. P. 49–53.
11. Ovsyanko D.M. Gosudarstvennaya sluzhba: teoriya i organizatsiya. Moscow: Yurist, 2002. P. 132.
12. Krylova E.G. Formirovanie sistemy gosudarstvennoy sluzhby Rossiyskoy Federatsii v kontekste realizatsii kontseptsii pravovogo gosudarstva: avtoref. dis. … d-ra yurid. nauk. Moscow, 2009.