

## Employment protection in Turkey – 2008

Item 1 Notification procedures in the case of individual dismissal of a workers with a regular contract	Written notice to employee and notification, within 15 days, to Ministry of Labour and regional public employment service.
Item 2 Delay involved before notice can start	Letter sent by mail or handed directly to employee.
Item 3 Length of notice period at different tenure durations	0<1m, 2w<6m, 4w<18m, 6w<3y, 8w>3y (can be extended by collective agreements).
Item 4 Severance pay at different tenure durations	All workers: After one year's employment, one month for each year of service (can be extended by collective agreements).
Item 5 Definition of unfair dismissal	<b>Unfair:</b> Dismissals of shop stewards, and on grounds of trade union membership, strike activity, pregnancy and after occupational accidents. Dismissals based on discrimination by race, sex, etc.
Item 6 Length of trial period	Maximum 2 months, can be extended by collective agreements to 4 months.
Item 7 Compensation following unfair dismissal	Right to compensation of 4 months minimum and 8 months maximum, plus regular severance pay (and additional indemnity of up to 4 months for the period of time between notice of termination and court ruling). <b>Typical compensation at 20 years tenure:</b> 26 months.
Item 8 Reinstatement option for the employee following unfair dismissal	The employer has to reinstate the employee concerned within the month following the court decision, otherwise he has to pay compensation.
Item 9 Maximum time period after dismissal notification up to which an unfair dismissal claim can be made	One month.
Item 10 Valid cases for use of fixed term contracts	Restricted to "objective situations", particularly seasonal and agricultural work.
Item 11 Maximum number of successive FTCs (initial contract plus renewals and/or prolongations)	Fixed-term contracts cannot be successively renewed without serious reason, otherwise the renewal will alter the fixed-term contract into a contract of indefinite time. In case of valuable reasons for renewal, no limit specified.
Item 12 Maximum cumulated duration of successive FTCs	No limit specified.
Item 13 Types of work for which temporary work agency (TWA) employment is legal	Prohibited, with the exception of agricultural work. (Employers are allowed to transfer an employee to another firm for a period of up to 6 months - with 2 possible renewals - if the concerned employee agrees and provided that he will execute the same tasks as in his initial job.)
Item 14 Are there restrictions on the number of renewals and/or prolongations of TWA contracts?	Not applicable.
Item 15 Maximum cumulated duration of TWA contracts	Not applicable.
Item 16 Does the set-up of a TWA require authorisation or reporting obligations?	Not applicable.
Item 17 Do regulations ensure equal treatment of regular workers and agency workers at the user firm?	Not applicable.
Item 18 Definition of collective dismissal	Within one month, 10 workers in firms with 20-100 employees, 20 workers in firms with 101-300, 30 workers in firms with 300+ employees.
Item 19 Additional notification requirements (compared to Item 1) in cases of collective dismissal	<b>Notification of employee representatives:</b> Not legally regulated. <b>Notification of public authorities:</b> Duty to notify regional employment office of number and categories of employees to be dismissed, reasons and periods planned for dismissals.
Item 20 Additional delays involved (compared to Item 2)	One month waiting period starting from the notification to public authorities.
Item 21 Other special costs to employers in case of collective dismissals	<b>Type of negotiation required:</b> After the notification procedure, consultation of the relevant trade union body on alternatives to redundancy and way to mitigate the effects. <b>Selection criteria:</b> Usually employer prerogative. <b>Severance pay:</b> No special regulations for collective dismissal.

*This summary was produced by the OECD based on responses to a questionnaire submitted by authorities in OECD member countries. It describes the situation current as at 1 January 2008 and is the basis for calculating the OECD employment protection indicators. To find out more about the methodology used to calculate the OECD employment protection indicators, see [www.oecd.org/employment/protection](http://www.oecd.org/employment/protection).*