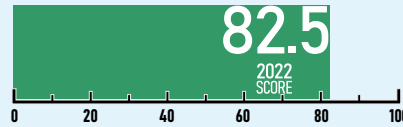


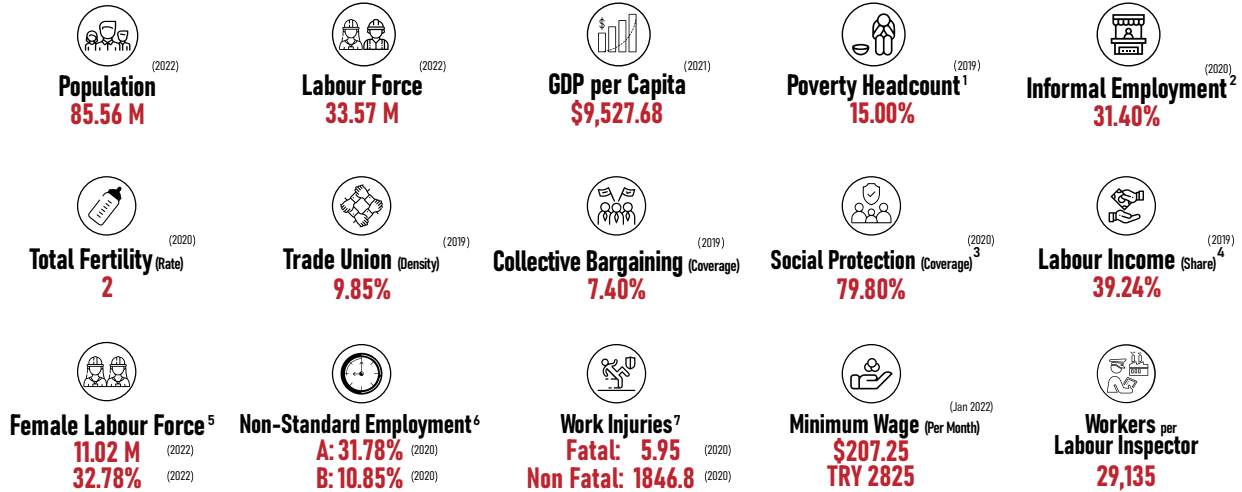


Türkiye



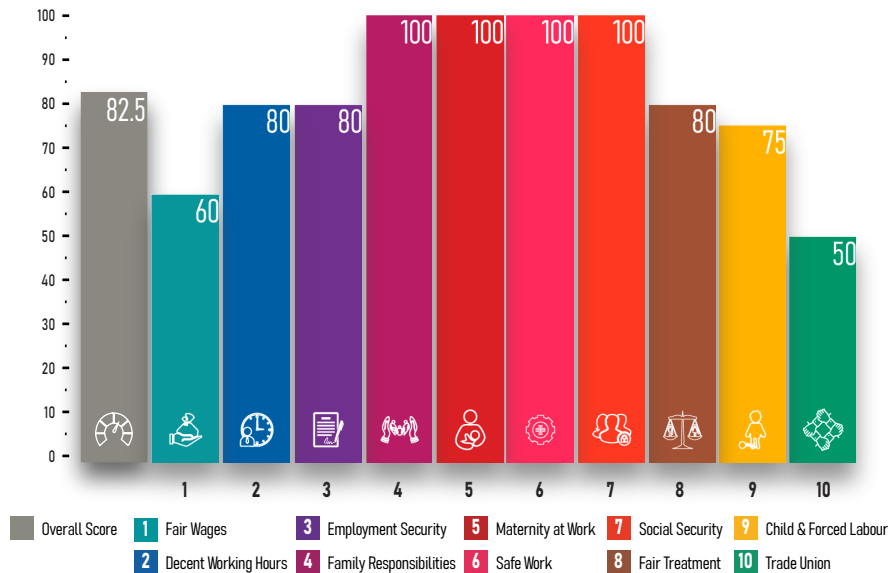
80 2020 SCORE
 Eastern Europe
 Upper Middle Income
 Approaching Decent Work
 LRI RATING

Contextual Indicators



Sources: World Bank
 International Labour Organization
 WageIndicator Minimum Wages and Living Wages Database
 M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Türkiye's overall score is 82.5 out of 100. The overall score for Türkiye is lower than the regional average observed across Eastern Europe (88). Within the Eastern European region, the highest score is observed for Greece (96).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

² Share of informal employment in total employment (%), as measured under SDG 8.3.1

³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§55 of the Constitution, 1982; §39 of the Labour Law, 2003 (4857)	●
	Does the law require regular payment of wages?	Yes	§32-35 of Labour Law, 2003	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§41 of Labour Law, 2003	●
	Does the law require additional compensation for working on a weekly rest day?	No	§44, 47 & 76 of Labour Law, 2003	●
2. Decent Working hours	Does the law require additional compensation for night work?	No	§69 of Labour Law, 2003; Omnibus Law No. 6645	●
	Does the law stipulate general working hours as 48 hours or lower?	Yes	§41-43, 63 of Labour Law, 2003; Regulations on working time 2003; Regulations on overtime and extra hours, 2004	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§41 of Labour Law, 2003	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§46 of the Labour Law, 2003; §09 of the Regulations on working time, 2003	●
	Does the law require paid public holidays?	Yes	§47 of Labour Law, 2003; Act 2429 of 19 March 1981	●
3. Employment Security	Does the law require at least three working weeks of paid annual leave?	No	§53-60 of Labour Law, 2003; Omnibus Law No. 6552	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§8-14 of Labour Law, 2003; International Labour Force Law (No. 6735) of 2016	●
	Does the law restrict the hiring of fixed-term contract workers?	No	§11 of Labour Law, 2003	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§15 of Labour Law, 2003	●
	Does the law require a 30-day notice before contract termination?	Yes	§17, 24-26 of the Labour Law, 2003; 42-52 of Circular by the Social Security Institution	●
4. Family Responsibilities	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	Transitional §6 of Labour Law, 2003; §14 of the Labour Act No. 1475, 1971	●
	Does the law require parental leave for parents?	Yes	Additional §2 of the Labour Law, 2003	●
	Does the law require at least one week of paid paternity leave for fathers?	Yes	§2 of the Labour Law, 2003	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§63 & 88 of the Labour Law, 2003	●
5. Maternity at Work	Does the law require paid nursing breaks?	Yes	§74 of the Labour Law, 2003	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§5 of the Labour Law, 2003	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§74 of the Labour Law, 2003	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§48 of Labour Law, 2003; §16-18 of Social Insurance and Universal Health Insurance Law 2006	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§48 of Labour Law, 2003; §16-18 of Social Insurance and Universal Health Insurance Law 2006	●
6. Safe Work	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§5, 18 & 25 of Labour Law, 2003	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§10, 18 & 19, Occupational Health and Safety Law No. 6331, 2012; Regulations on the Use of PPE in the Workplace, 2004	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§17 of the Occupational Health and Safety Law No. 6331, 2012	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§74 & 88 of the Labour Law, 2003; Regulation on Working Conditions of Pregnant or Nursing Woman, 2004	●
	Does the law provide for employment injury benefit?	Yes	§74 & 88 of the Labour Law, 2003; Regulation on Working Conditions of Pregnant or Nursing Woman, 2004	●
	Does the law provide for an old age pension?	Yes	§28-31 of Social Insurance and Universal Health Insurance Law No. 5510, 2006	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	§32-33 of Social Insurance and Universal Health Insurance Law No. 5510, 2006	●
	Does the law provide for unemployment benefit?	Yes	Unemployment Insurance Law No. 4447, 1999; ISSA Country Profile for Türkiye	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	Social Insurance Law, 1964; ISSA Country Profile for Türkiye	●
	Does the law provide for invalidity benefit?	Yes	§26-27 of Social Insurance and Universal Health Insurance Law No. 5510, 2006; ISSA Country Profile for Türkiye	●
	Does the law require equal remuneration for work of equal value?	Yes	§55 of the Constitution, 1982; §5 of the Labour Law, 2003	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	Labour Law, 2003; §105 of the Criminal Code, 2004; §417 of the Turkish Code of Obligations No. 6098, 2011	●
	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§10 of the Constitution, 1982; §5 & 99(A) of the Labour Law, 2003	●
	Does the law allow women to do the same jobs as men?	No	§48 & 50 of the Constitution, 1982; §72 of the Labour Law, 2003; Regulation on Heavy and Dangerous Work No. 25494, 2004	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Social Insurance and Universal Health Insurance Law No. 5510, 2006; ISSA Country Profile for Türkiye	●
	Does the law prohibit employment of children?	Yes	§71 of Labour Law No. 4857, 2003	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	No	§3 of the Primary Education Law, 2012; Education Reform Law, 1961	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§71-73 & 85, Labour Law No. 4857, 2003; Regulation No. 25425, 2004; Regulation on Heavy and Dangerous Work No. 25494, 2004	●
	Does the law prohibit forced labour?	Yes	§18, 48-50 of the Constitution, 1982; §80 & 117 of the Criminal Code, 2004	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§33 & 51, Constitution 1982; §18 of Labour Law 2003; §3, 17 & 25 of the Law No. 6356 of 2012	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	No	§53, Turkish Constitution, 1982; §33-57, Law on Trade Unions and CBAs No. 6356, 2012	●
	Does the law provide for the right to strike?	No	§54 of the Turkish Constitution, 1982; §58-75, Law on Trade Unions and CBAs No. 6356, 2012	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§54 of the Turkish Constitution, 1982; §66-70, Law on Trade Unions and CBAs No. 6356, 2012	●

Covid 19 and Labour Market in Türkiye*

Total Covid Cases	15.30 Million
Total Covid Deaths	99,088
Partial Vaccinated	69.0%
Fully Vaccinated	64.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✓
Telework/flexible work	✓
Improved Health Access	✓
Training (activation measures)	✓

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Türkiye on SDG 8.8.2 is 1.65 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change