

CLIENT ALERT

EMPLOYMENT LAW | TURKIYE

FEBRUARY 2024

THE DRAFT LAW ON THE AMENDMENT OF THE UNEMPLOYMENT INSURANCE LAW AND CERTAIN OTHER LAWS HAS BEEN ACCEPTED BY THE GENERAL ASSEMBLY OF THE GRAND NATIONAL ASSEMBLY OF TURKEY AND HAS BECOME LAW

The Law on the Amendment of the Unemployment Insurance Law and Certain Other Laws was published in the Official Gazette numbered 32449 and dated 03.02.2024.

The following contains comprehensive information about the new rules, which are intended to support both employees and employers.

MINIMUM WAGE SUPPORT

With the temporary Article 101 added to the Social Insurance and General Health Insurance Law No 5510 ("**Law No 5510**"), the minimum wage support, which has been in force since 2016 with the aim of increasing employment by reducing the costs to employers and to protect formally registered employment, has been increased to TRY 700 per month for 2024.

In addition, the minimum pension has been increased from TRY 7,500 to TRY 10,000, effective from the January pay period.

THE SCOPE OF SHORT-TIME WORKING ALLOWANCE HAS BEEN EXPANDED

In the new Article 2 of the Unemployment Insurance Law No 4447 ("**Law No 4447**"), it is regulated that short-time work can be performed in the workplace for a period not exceeding three months, in cases where the weekly working hours in the workplace are temporarily significantly reduced or the activity in the workplace temporarily stopped completely or partially due to a general economic, sectoral or regional crisis and compelling reasons. With this new regulation, it will be possible to apply short-term work in cases of "general epidemic".

The minimum number of premium payment days required for an insured to be entitled to the short-time working allowance has been reduced from 600 days to 450 days. The short-term working allowance cannot be subject to any tax or deduction except stamp duty, and no more than one-tenth of it can be seized, transferred or assigned to someone else, except for alimony debts.

The periods paid as short-time working allowance will be deducted from the entitlement period for unemployment benefit payments to be made based on the termination of the service contract within three years from the date of

the start of short-time working. Overpayments arising from the negligence of the insured will be collected from the insured together with legal interest, while any overpayments made by a deceased insured will not be recovered.

The provisions regarding the short-term working allowance will enter into force on 1 March 2024.

INCENTIVES FOR EMPLOYING THE UNEMPLOYED IN NEED OF A SPECIAL POLICY HAVE BEEN EXTENDED

Within the scope of the provisional Article 10 of Law No 4447, the duration of the incentive offered to provide additional employment and to support those who require a special policy, such as women, youths and unemployed people who have certificates of vocational qualification, has been extended until 31 December 2025. The President has been authorised to extend it until 31 December 2026.

REGULATIONS FOR OCCUPATIONAL HEALTH AND SAFETY EXAMINATIONS

Article 24/A added to Law No 6331 on Occupational Health and Safety ("**Law No 6331**") authorises the Ministry of Employment and Social Security to carry out measurements, examinations and research on occupational health and safety issues, to obtain information, documents and samples, and to carry out inspections, controls and audits regarding educational institutions, common health and safety units, equipment inspection bodies, occupational hygiene measurements, testing and analysis laboratories within the scope of the law.



In compliance with Turkish bar regulations, opinions relating to Turkish law matters that are included in this client alert have been issued by Özdirekcan Dündar Şenocak Ak Avukatlık Ortaklığı, a Turkish law firm acting as correspondent firm of Gide Loyrette Nouel in Turkey.

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