

# WHAT HAPPENS IN TURKISH COLLECTIVE AGREEMENTS?



*CBA's  
Turkey*

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## The legal framework of the collective bargaining system in Turkey

Framework of collective bargaining in Turkey are determined by two separate laws for private and public servants.

1)Public Servants' Unions and Collective Bargaining Law No.4688: Collective bargaining rights of public servants in Turkey was recognized in 2012. The right to strike is still prohibited for public servants.

2) Trade Unions and Collective Bargaining Law No. 6356: It regulates union rights and freedoms of workers, including collective bargaining agreements.

# Scope and Level of Collective Bargaining Agreement

The collective bargaining agreements signed in Turkey widely in the workplace or enterprise level.

Also limited group collective agreements signed between employers and workers' trade unions.

Collective agreements are signed at the national and sectoral level only for public servants.

The group collective agreements signed in the metal sector are the most overrated and it covering most workers in Turkey after the collective agreement for public servants.

# Scope and Level of Collective Bargaining Agreement

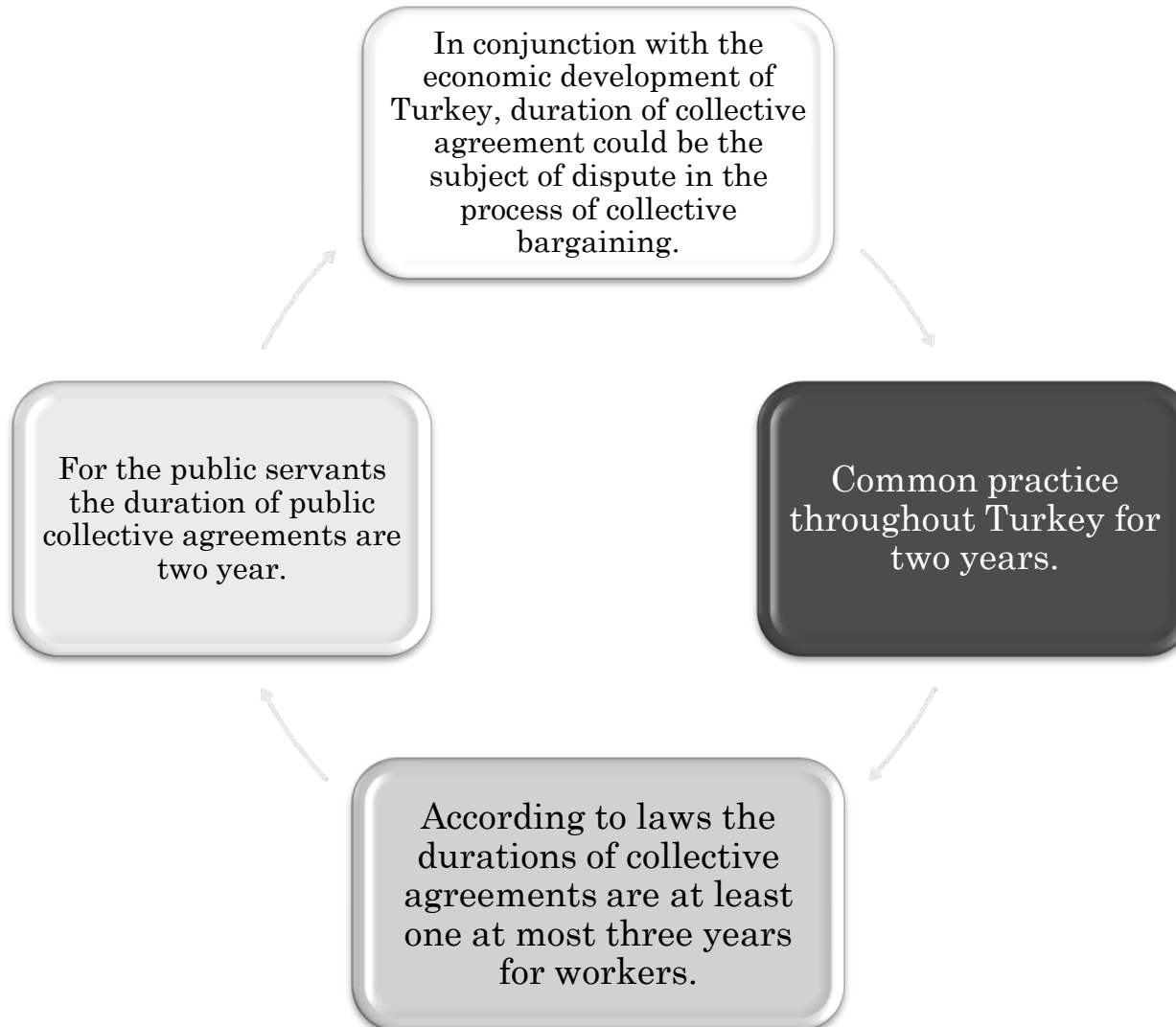
The framework agreements are signed in the vocational education, occupational health and safety, social responsibility and employment policies between the employers / their trade unions and the workers trade unions.

Framework agreement is not a common practice in Turkey.

Sectoral or national level collective bargaining agreements are not signed in Turkey for workers.

The general collective agreement for public servants regulates the general employee compendiousness rights and wages of public servants while branch collective agreements regulate specific rights of branch employees.

# Duration of collective agreements



# Benefiting from collective agreements

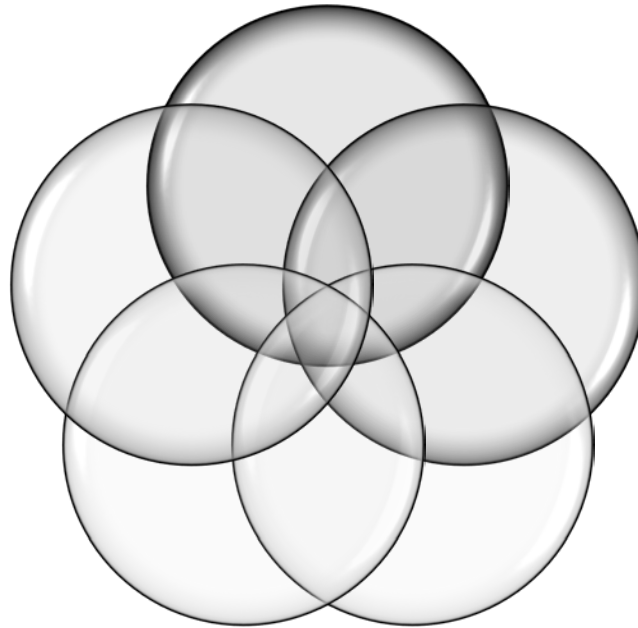
In procedure, members of the party trade union benefit from the collective agreement

However, members of another trade union nor non trade union members benefit from collective agreement by paying solidarity fees.

# Solidarity Fees

Trade union approval  
is not required to  
benefit from the  
collective agreement  
with solidarity fees.

The solidarity fee  
can not exceed the  
membership fee.



In practice, the  
solidarity fee is  
generally as much  
as the union  
member ship fee.

In the public collective agreement, all servants benefit from the signed collective agreement without solidarity fee etc. It does not matter whether being trade union member or not.

# Collective agreement signing authority

For the workplace collective agreement: The trade unions that represents one percent of the workers in the sector in which it is established and represent more than half of the workers in the workplace and has the most members in that workplace is authorized to sign collective agreements.



For the enterprise level collective agreement: The trade union, which represents one percent of the workers in the sector in which it is established and represent forty percent of the workers in the enterprise and has the highest number of members in that enterprise, is authorized to sign collective agreements.

# Collective agreement signing authority


For the public servants collective agreement: Public Employers' Delegation on behalf of the public administration and Public Servants Trade Unions Delegation on behalf of the public servants attend collective bargaining negotiations.



President of the Public Employer Delegation on behalf of the public administration and Public servants trade union confederation with the highest number of members and trade union with the highest number of members in each branch have the signing authority public servants collective agreement.

# Parties of the collective agreement

For Workplace and Enterprise Collective Agreements: Workers Trade Unions, employer or employers trade unions



For Group Collective Agreements: Workers Trade Unions and Employers trade unions



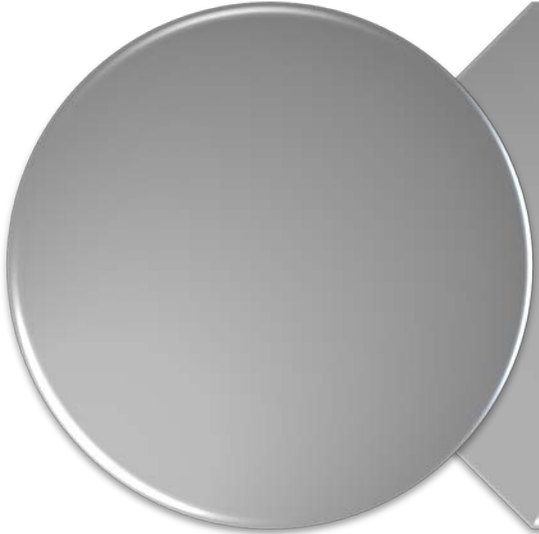
For Public Servants Collective agreements: Public Employers' Delegation on behalf of public administration and Public Servants Trade Unions Delegation are the parties of collective agreement.

# Parties of the public servants collective agreement

The Public Employers' Delegation is under the chairmanship of the Deputy President or minister appointed by the President of the Public, consists of representatives of ministries and public institutions and organizations determined by the President.

Public Servants Trade Union Delegation is chaired by the representation of The confederation with the highest number of members in terms of the total number of members of the affiliated trade unions. One representative to be determined by the trade unions with the highest number of members in each service branch. And one representatives which determined by the each confederations in the first, second and third place in terms of total number of members, based on the number of members of the affiliated trade unions.

# Content of Collective Agreement



Trial Period: According to the labor law, the trial period is at most two months. With a collective agreement, this period can be extended up to four months.

## Some other issues regulated by collective agreements

According to the labour law, the wage is paid at least once a month. This period can be reduced for up to one week with individual employment agreements or collective agreements.

Annual leave periods can be increased by individual employment agreements or collective agreements.

The equalization period is two months and can be extended up to four months by collective agreements.

# Content of Collective Agreement: Wages

Wages are the main causes of disputes in the collective bargaining process in Turkey.

Increase of wages is usually calculated separately for each year in a two-year agreement.

The increase is reflected in the wage in 6-month periods. (Exm.. 1st SixMonth, 2nd SixMonth, 3th SixMonthand 4th SixMonth)

Increases by seniority is common practice in Turkey. Usually after equally icreases. Wage increases are given according to seniority additionally.

Consumer price indexes and inflation are also taken in to consideration in wage increases.

## Content of Collective Agreement: Regulations on social rights

Education allowance, military allowance, marriage allowance, fuel aid, death allowance, maternity allowance, disability assistance, travel assistance, clothing aid, cleaning materials and kitchen packages, feast bonuses, determination of work equipment by workers are additional rights issued by the employer, which are arranged in collective agreements generally in Turkey.

Permissions for trade union activities are also covered and determined by collective bargaining.

# Content of Collective Agreement: Gender

Breast feeding rooms, nursery, maternity leave, maternity allowances are the most common regulations in collective agreements of Turkey.

There are advanced regulations in a very limited number of collective agreements.

In this regard, rights of LGBTI individuals can be found in a limited number of collective agreement.

Some agreements have broad definitions of equality.

# Coming to the conclusion

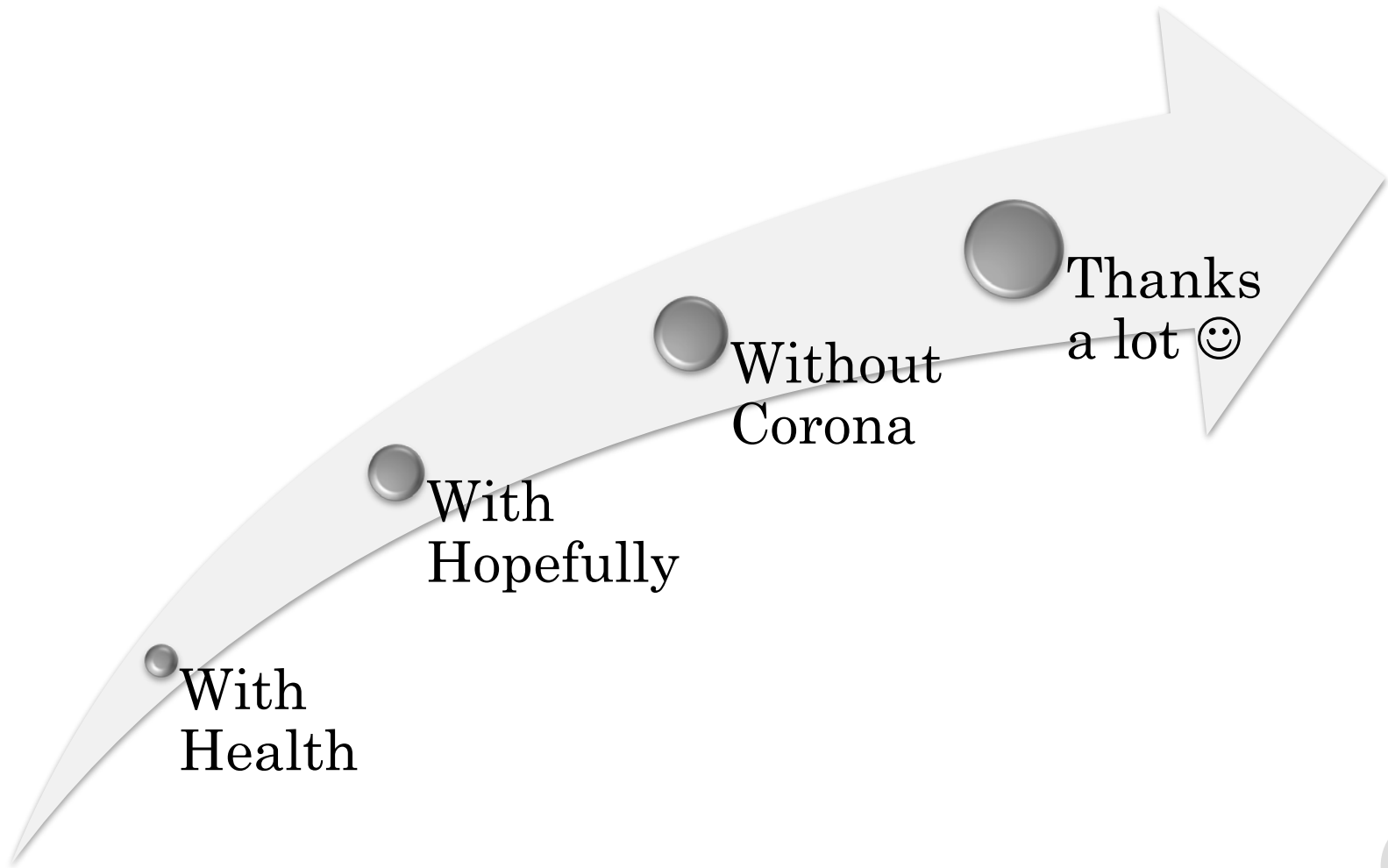
We do not have a database for collective bargaining in Turkey.

Most of trade unions do not want to share their collective agreements with anyone.

Passive competition between trade unions is effective on this issue.

Public servants collective agreement is very ineffective.

As soon as it is necessary to establish a database in Turkey



With  
Health

With  
Hopefully

Without  
Corona

Thanks  
a lot 😊