

Circular Published Effecting New Dismissal Codes Applicable to Just Cause Termination of Employees

15 Apr 2021

Social Security Institution Circular, dated 1 April.2021, and numbered 2021/9 (the "**Circular**"), removes dismissal code "29 - Termination by the employer due to employee's violation of the rules of ethics and goodwill," regulated previously by Circular numbered 2013/11. In addition, the Circular effects a renumbering of subparagraphs 42-50 of Article 25/II of the Employment Law.

The Circular provides certain codes applicable where specific grounds exist for just cause termination of an employee, as follows:

- Code 42: misleading employer at time of contract by providing false qualifications, including having certain skills or abilities essential to the work contemplated, or general false information.
- Code43: engaging in acts or making statements to dishonor or harm the reputation of employer or employer's family member(s), or making false assertions or accusations against employer in matters of honor.
- Code 44: sexually harassing a coworker.
- Code 45: bullying employer, employer's family member(s), or employee's coworkers; reporting for work inebriated, or under the influence of illegal drugs, or use of alcohol or illegal drugs in the workplace during work hours.
- Code 46: engaging in behavior not complying with employee's obligations of integrity and loyalty to the employer, including breach of trust, theft, or disclosure of trade secrets.
- Code47: committing a crime in the workplace carrying unpostponable prison time of at least seven consecutive days.
- Code 48: failing to report for work over two consecutive days, or twice in one month, on the first workday immediately following a rest day, or on three workdays in a month, without employer's permission or a valid excuse.
- Code 49: failing to comply with employer's nonperformance warnings.
- Code 50: willfully or negligently endangering coworkers, or damaging machinery, equipment, or other articles or materials, whether or not employer's property, where resulting damage cannot be remediated by payment of thirty (30) days' salary of offending employee.

The full text of the Circular is available at this [link](#). (Only available in Turkish)

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