

The Regulation on Procedures and Principles Regarding Short-Term Work and Short-Term Work Allowance Has Been Published.

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The implementation regulation in accordance with the Law No. 4447 that partially changes the conditions for benefiting from the short-term work allowance has been published.

The Regulation on Procedures and Principles Regarding Short-Term Work and Short-Term Work Allowance ("**Regulation**") was published in the Official Gazette dated June 11, 2024, and numbered 32573, and entered into force on its publication date, effective from March 1, 2024. Consequently, the Regulation on Short-Term Work and Short-Term Work Allowance published in the Official Gazette dated April 30, 2011, and numbered 27920, was repealed.

The purpose of the Regulation is to set out the procedures and principles regarding the payment of short-time working allowance to the insured persons in cases where the employer, who employs the insured persons subject to the service contract according to the Unemployment Insurance Law No. 4447 ("**Law**"), temporarily significantly reduces the weekly working hours in the workplace or temporarily stops the activities in the workplace completely or partially due to general economic, sectoral or regional crisis, general epidemic and compelling reasons.

The prominent changes in the Regulation are as follows:

- The relevant Regulation covers the processes of the employer's request for short-time working and the evaluation of this request in case of general economic, sectoral or regional crises, general epidemics or the existence of compelling reasons directly affecting the workplace. The short-time working is the temporary reduction of the weekly working time in the workplace by at least one third or the temporary complete or partial cessation of the activity in the workplace.
- According to the Regulation, the employer requesting short-time working in the workplace due to compelling reasons such as general economic, sectoral or regional crisis, epidemic will apply to the Social Security Institution ("**SSI**") and in this request, the effects of the crisis on the workplace will be notified together with the compelling reasons. It shall also submit the list of insured persons subject to short-time working.
- SSI will evaluate the employer's request in terms of reason and form. The SSI will decide on the existence of compelling reasons arising from general economic, sectoral or regional crisis, general epidemic and periodic situations arising from external influences, if the confederations of workers' and employers' unions claim or there is a strong indication in this direction. In the applications of the workplaces directly affected by disasters, the decision of the SSI Board of Directors will not be sought. However, the applications made to benefit from short-time working allowance for reasons such as cash shortage, payment difficulties, market contraction and stock increase, although not directly affected by the disaster, will be rejected directly.
- The short-time working period cannot be less than one third of the normal weekly working time of the workplace.
- In addition to all these, in order for the insured to benefit from the short-time working allowance, the insured must have been subject to a service contract for the last 120 days before the start date of the short-time working and must have worked as an insured for at least 450 days in the last three years.
- The short-time working allowance is 60% of the insured's average daily gross earnings calculated by taking into account the last 12 months' premium-based earnings, and the amount of the allowance cannot exceed 150% of the minimum wage. The duration of the allowance is the duration of the short-time working period, not exceeding 3 months. The short-time working allowance will be paid to the insured monthly on the fifth of each month. The Ministry of Labour and Social Security is authorised to bring forward the payment date.
- In the event of a situation requiring the interruption and suspension of the short-time working allowance, the employer shall notify the Turkish Employment Agency ("**TEA**") before the payment is made for the relevant period.
- In addition, the recipients of short-time working allowance;

i. In the event of termination of the employment contract in the workplace where they are subjected to short-time working, transfer to a different workplace, suspension of the employment contract, starting to receive a retirement pension, being recruited for any reason, leaving their job due to any work obligation arising from any law, arrest, conviction, going abroad, death, their allowances will be

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