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The Regulation on Remote Working has been published in the Official Gazette

16 Mar 2021

The Regulation on Remote Working ("**Regulation**"), issued by the Ministry of Family, Labor and Social Services in order to regulate the works that are not compatible with remote working, the implementation of business rules regarding data protection and sharing, and the procedures and principles of remote working; entered into force after being published in the Official Gazette dated 10 March 2021 and numbered 31419.

The important issues included in the Regulation are briefly as follows:

- In accordance with the Regulation, the employment contracts for remote work shall be executed in writing. In the contract; the description of the job, the way it is performed, the duration and place of the work, the matters regarding the wages and the payment of the wages, the work tools provided by the employer, the equipment and the obligations regarding their protection, the employer's communication with the employee and the general and special working conditions shall be included.
- If necessary, the arrangements about the place where remote working will be performed shall be completed before starting the work. The issue of who will cover the cost of the arrangements to be made shall be determined by the mutual agreement of the employer and the remote employee.
- It serves as the basis that the materials and work tools required by the remote employee for the production of goods and services shall be provided by the employer unless otherwise agreed in the employment contract.
- The issues regarding the determination and payment of the necessary expenses directly related to the production of goods or services arising from the performance of the work shall be specified in the employment contract.
- The time interval and duration of remote work shall be specified within the employment contract. Working hours may be changed by the parties, provided that the limitations stipulated in the related legislation are complied with. Overtime shall be done upon the written request of the employer, with the acceptance of the worker, in accordance with the provisions of the related legislation.
- The method and time interval of communication in remote working shall be determined by the remote employee and the employer.
- The employer shall inform the remote employee about the business rules and the relevant legislation regarding the protection and sharing of data related to the workplace and the work is done, and shall take the necessary measures to protect this data.
- The employer is obliged to inform the employee about occupational health and safety precautions, to provide the necessary training, to provide health supervision, and to take the necessary occupational safety measures related to the equipment provided by taking into account the nature of the work performed by the remote employee.
- It is not allowed to work remotely in jobs that involve working with hazardous chemicals and radioactive substances, processing these substances, or working with the wastes of these substances, working processes that have a risk of exposure to biological factors.
- The employment relationship may be established directly by a remote working contract, or the employee's employment contract, who is currently working in the workplace, may be converted into a

remote working contract if the employee and the employer agree upon it. A written request may be made by the employee to convert the employment relationship into a remote working contract. In this case, it is essential that the request shall be evaluated by the employer within thirty days and the result of the evaluation shall be reported to the worker in writing.

You may read the full text of the Regulation published in the Official Gazette dated 10 March 2021 and numbered 31419 at this link. (The link is only available in Turkish.)

Related Practices

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