

## Turkey Allows Private Employment Agencies to Execute Temporary Employment Arrangements

*29 Nov 2016*

Turkey has amended labor regulations to now allow private employment agencies to execute agreements for temporary employment relationships, within certain limits. Time limits apply to these temporary employment arrangements, depending on the type of work being performed. Similarly, ratios are introduced for the maximum number of temporary employees, depending on the size of the employer.

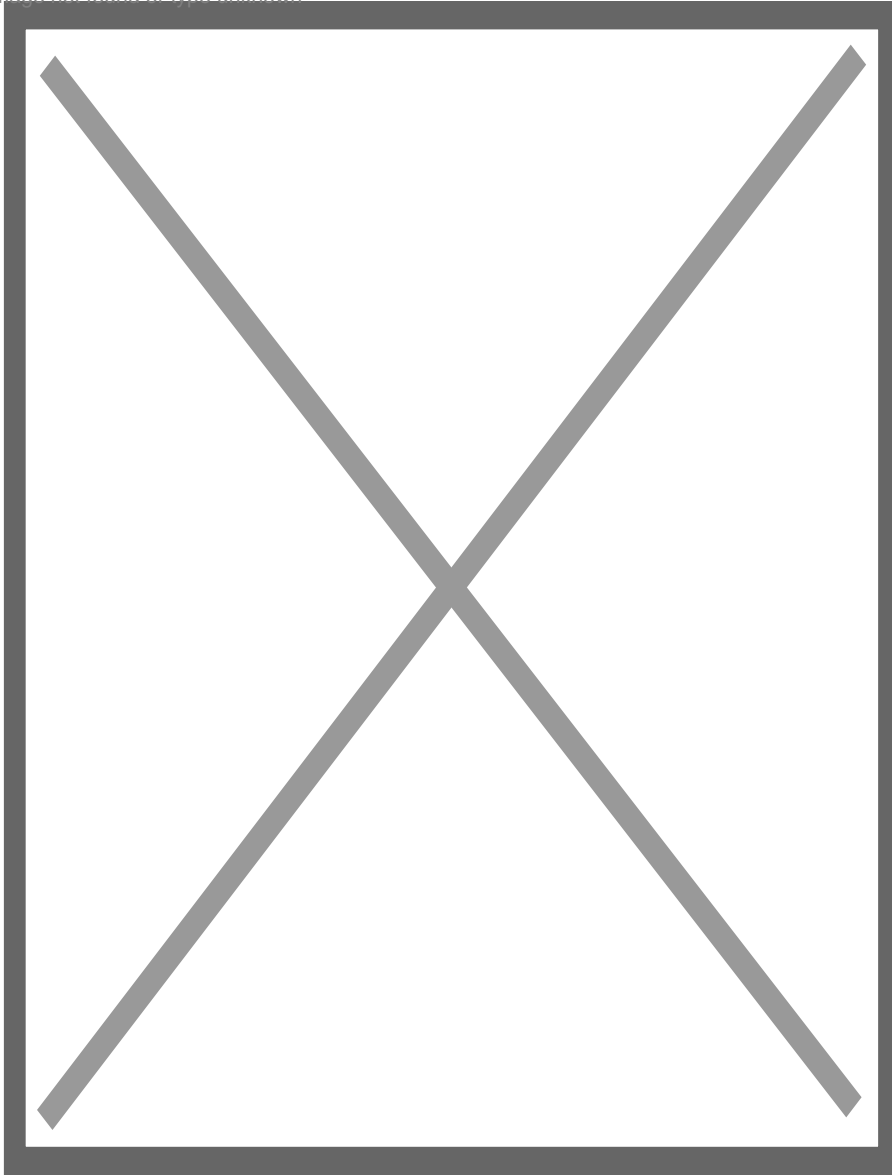
The Turkish Labor Institution ("**Institution**") published the Regulation on Private Employment Agencies ("**Regulation**") in Official Gazette number 29854 on 11 October 2016, entering into force on the same date.

### Length of Temporary Employment Relationships

Private employment agencies can now execute agreements with employers to provide temporary employees, as well as establish temporary employment by transferring an employee to the employer.

Temporary employment relationships can be established, subject to the following time constraints:

Image not found or type unknown



Employers which employ temporary employees cannot re-employ any temporary employee for the same task within six months of earlier temporary employment periods expiring.

---

Where employees are sent to foreign countries for temporary employment, private employment agencies must have these foreign employment agreements approved by the Institution.

## General Restrictions on Employment Agreements

All employment agreements (including those for temporary employment) involving the following elements are prohibited and will be deemed invalid:

- Acting as a broker (intermediary) for staff positions in public institutions and organizations.
- Acting as a broker to find work and employees at a workplace without obtaining a permit from the Institution, or via means set forth under Law No. 5187 or similar broadcast organ.
- Advertisements and publishing announcements regarding persons that act as brokers or intermediaries for finding work and employees via media outlets and similar communication method.

- Finders' fees for brokers or intermediaries, except for:
  - Professional athletes.
  - Technical directors.
  - Trainers.
  - Models.
  - Photo models.
  - Performers.
  - Those who are operating in the field of performance
  - General Managers and persons to be employed for similar or higher managing positions.
- Provisions which require employees to:
  - Work informally.
  - Join or leave a union.
  - Work for less than minimum wage.
- Provisions which prevent employers and those who are seeking jobs, from obtaining job placement services from other private employment agencies.

Private employment agencies may not receive any advantage from, or charge service fees to, job-seekers nor employees for training programs provided within brokerage activities.

However, private employment agencies conducting activities within the framework of Law No. 5580 can charge service fee for trainings which do not relate to brokerage.

Private employment agencies may only collect, process and use information about job-seekers and employers within the scope of the Regulation.

## Mandatory Personnel Employed by Agencies

Certain personnel must be employed to work at private employment agencies. The Regulation changes the qualities and educational qualifications which such employees must possess. Employment agencies have until 1 January 2017 to meet these criteria.

Please see this [link](#) for full text of the Regulation (only available in Turkish).

## Related Practices

- [Employment and Labor](#)

## Related Attorneys

- [DR. E. SEYFİ MOROĞLU, LL.M.](#)
- [BURCU TUZCU ERŞİN, LL.M.](#)
- [BURAK BAYDAR](#)