

## Turkey's Social Security Institution Announces Rules and Procedures regarding Salary Support

*27 Apr 2020*

The Rules and Procedures ("**Rules and Procedures**") regarding temporary article 24 which has been added to the Unemployment Insurance Law numbered 4447 as per article 7 of the Law numbered 7244 ("**Law**") has been approved and become effective on 22 April 2020.

The Rules and Procedures contains details about;

- Application rules,
- Eligibility criteria,
- Payment period and amount,
- General health insurance premiums,
- Reasons to lose the eligibility and penalties

regarding salary support.

### Application Rules

As per article 5 paragraph 1 of the Rules and Procedures, in order for employees who have been put on unpaid leaves to receive salary support, the employers must submit their names through the "<https://uyg.sgk.gov.tr/IsverenSistemi>" website on a monthly basis. The submission must be made until the 3<sup>d</sup> day of the following month and the reasons for the missing days must be selected as "28- Pandemic Unpaid Leave".

Furthermore, the Social Security Institution ("**SSI**") must be informed of applications and updates which have been made by employers regarding unpaid leaves, until the end of the month following the unpaid leaves.

The employers are also obliged to submit the number of unpaid leave days as well as employee's Turkish ID number, IBAN, and mobile phone number, through the SSI application screen.

Concerning the employees whose employment agreements have been terminated and who cannot benefit from the unemployment payments, article 5 paragraph 2 of the Rules and Procedures states that;

- If the employee has applied for unemployment benefits but the application got denied, the salary support will automatically start to be paid by the Turkish Employment Agency.
- If the employee has not applied for unemployment benefits, he/she should make an online application. Payments will be made upon this application.

### Eligibility Criteria

In order for employees, who have been put on unpaid leaves, to be eligible for the salary support, they should not be receiving short-time employment allowances and retirement pensions from any social security institutions. Following the employers' applications, employees who meet these conditions will become eligible to receive salary support for the unpaid leave duration.

If the employer's short-term employment application has been approved, but the employee cannot benefit from this allowance due to missing premiums, the employer can update the missing day reason as "unpaid leave". As long as the employee meets the abovementioned conditions, he/she will be eligible to receive salary support for the unpaid leave duration.

Employees whose employment agreements have been terminated and who cannot benefit from the unemployment payments will be eligible to receive salary support if they are not receiving retirement pensions from any social security institutions.

## **Payment Period and Amount**

In case the President will not extend the period, employees;

- who have been put on unpaid leaves will receive salary support for the duration of their unpaid leaves between 17 April 2020-17 July 2020,
- whose employment agreements have been terminated and who cannot benefit from the unemployment payments will receive salary support for the duration of their unemployment between 17 April 2020-17 July 2020.

Employees who are eligible to receive the salary support will receive daily TRY 39.24.

## **General Health Insurance**

Employees who are receiving salary support will also be entitled to benefit from the general health insurance for the duration of the support, even they cannot benefit from this insurance under normal circumstances.

## **Reasons to lose the eligibility and penalties**

Article 9 of the Rules and Procedures states various reasons which can lead to the loss of eligibility and penalties. In this regard;

- If the employer makes the employee work while receiving the wage support, the employer will be under the obligation to pay monthly gross minimum wage as administrative fines separately for each employee and for each month which the employee has worked.
- If the employee starts to work at the same job or at another workplace and/or starts to receive retirement pensions from any social security institution while receiving the salary support, such payments will be discontinued.
- If the employer causes extra or improper payments to be made, the salary support will be collected from such employer with legal interest.
- Extra or improper payments, resulting from corrections and updates with regard to employees who are put in unpaid leaves, will be deducted from the salary support of the following month.

The full text of the Rules and Procedures is available at this [link](#) (only available in Turkish).

## **Related Practices**

- Employment and Labor
- Employment Disputes