

SOCIAL BENEFITS



“The information below is valid for everyone including Turkish citizens, foreigners, refugees, temporary protection holders, international protection holders, conditional and subsidiary refugee status holders”.

»The Social Security System

The employer has the right and obligation to ensure social security for its employees. Your employer has to register your file to the social security system after you start working and send notifications to Social Security Institution after being hired. You have the right to ask your employer whether the notification has been sent. In the case that the employer did not send the notification to Social Security Institution, there are legal procedures to follow against the employer.

When you are registered with the Social Security System, you have the following benefits:

- Right to access healthcare services
- Right to receive unemployment insurance
- Right and assistance in case of work accidents, paternity, and occupational illness
- Right to long-term retirement, passing of retirement to significant other or descents in case of decease.

Insured employment is a legal obligation. Working informally will obstruct you from the benefits that employees are entitled too, which may put you and your family in a difficult and unsecured situation.

1. Health



Insured employees have the right to benefit of free health services under legal condition. People under temporary protection and international protection are entitled to benefit from free health services.

2. Unemployment benefits



The government provides unemployment benefits using the unemployment insurance contributions that s/he made during employment, in order to prevent revenue loss.

Who can receive the unemployment benefits?

- You must have paid unemployment insurance contributions for 600 days in the last three years and must have paid unemployment insurance contribution for 120 days uninterruptedly before the last workday.
- Your contract should have been ended without your fault or intention

- You must personally apply to the Turkish Labor agency (Türkiye İş Kurumu) in 30 days after the termination day of the contract. Any delay may cause a reduction in the amount to be paid.
- You must be suitable and willing to be employed again.
- You must not earn income from a different institution.

How long can I receive unemployment benefits?

If your insurance was paid for 120 days uninterrupted before the end of the contract within the 3 years, you will receive the unemployment salary for:

- 180 days for 600 days of work with a paid unemployment insurance
- 240 days for 900 days of work with a paid unemployment insurance
- 300 days for 1080 days of work with a paid unemployment insurance

3. Severance Allowance



If you hold a valid work permit, you are entitled to receive severance allowance under legal conditions. Severance allowance is a lump sum payment granted to the employee who worked for at least a year in the same workplace under certain conditions. The allowance is calculated based on the gross wage received in the last month.

Conditions of Severance Allowance

a) Conditions of severance allowance if you leave your job

If you have terminated the contract due to valid reason provided by the law or resigned for the reasons listed below, you will be entitled to severance allowance:

- In case a woman left her job in a year after her marriage.
- In case a man left his job due to compulsory military service.
- In case 15 years after the first workday is past and total insurance contribution is 3600 days and was provided a retirement certificate issued by Social Security Institution

b) Conditions of severance allowance for being dismissed

In case that the employer terminates the contract without a valid reason provided by the law, you will be entitled to severance allowance. On the contrary, in case that your employer terminates the contract with a valid reason provided by the law, the person fired is qualified for severance allowance.

c) Conditions of severance allowance in case of death of the employee

In case of the death of the employee who worked for more than a year in the same workplace, his/her family is entitled to ask for his/her severance allowance.

d) Conditions of severance allowance in case of retirement

The employee qualified for retirement is entitled to a severance allowance in case she/he worked more than a year in the same workplace.

4. Death, Marriage and Maternity leave



The employees shall be allowed to take up to three (3) days leave of absence with pay in the event of the death of employee's mother, father, spouse, brother or sister, and child and five (5) days leave of absence with pay in the event of spouse's giving birth.

Employees shall be allowed to take up to ten (10) days leave of absence with pay for his/her child's medical care who is with 70% more disability or chronic illness certified by a medical report.

5. Permission to seek new employment



During the term of notice, the employer must allow the employee seek new employment within working hours without any deduction from his salary. The time devoted to this purpose should not be less than two hours a day and if the employee requests this time can be added together or taken one hour at one time. But if the employee wishes to take these hours, he must do so on the days immediately preceding the day on which his employment ended and must inform the employer in

advance.

If the employer does not grant the permission to seek new employment or doesn't allow the time stipulated above, he must pay the employee the wages corresponding to the time to which he was entitled.

If the employer makes the employee work during the time s/he is allowed to seek new employment, he must compensate the employee twice the amount he is entitled to even if not working during the time allowed for seeking new employment.

6. Invalidity

According to the law 5510 on Turkish Social Security, if the insurance holder employee loses:



- Her/his capacity to work or
- Loses 60% of his/her earning capacity in the profession as a result of working accident or
- Occupational disease,

certified by the Health Committee, s/he is considered as invalid / disabled.

Who is entitled to receive invalidity payment?

- You must be insured for at least ten (10) years and must have paid 1800 days of long-term insurance contribution in total. If the employee's disability requires a caretaker regardless of the total insurance time, s/he is entitled to disablement payment in case s/he paid 1800 days of insurance contribution.
- The employee's work contract must have been terminated by the employer or by the employer due to her/his disability or occupational disease.

7. Benefits of Maternity or Illness Insurances

You will be entitled to have "Intermittent Failure Payment" in case of incapacity of work due to a disease.

You will receive "Intermittent Failure Payment" and "Nursing Benefit" during the maternity leave.

Intermittent Failure Allowance

Intermittent failure allowance is provided for the insurance holder when his/her medical situation is certificated by an authorized doctor or medical committee in the case of temporary incapacity of work.

Types of the intermittent failure: maternity, work accident, occupational disease, and illness. We are counting maternity here but it should not be understood as a disease, it is a situation that needs to be treated especially therefore, you will have some social and additional benefits.

Who can benefit from Intermittent Failure Allowance?

In order to qualify for intermittent failure payment, your insurance must cover:

- At least the first days of certificated sick leave and
- Your insurance contribution should be for at least 90 days in last year

and a sick leave certificate issued by an authorized doctor or medical committee must be present.

8. Maternity and Breastfeeding Leave



As a Female employee, you must not be engaged in work for a total period of sixteen (16) weeks, eight (8) weeks before giving birth and eight weeks after. You have the right to leave with pay for periodic examinations during your pregnancy.

In case the mother dies at childbirth or after the child was born, the unused leaves related to the post-natal period shall be used by the father.

Employed parents whose child is with a disability based on a medical report, shall be allowed to take 360 days of leave.

The leave periods mentioned may be increased due to the medical condition of the employee and the working environment before and after giving birth. Such increase must be decided by a medical doctor. Based on a medical report, pregnant female employee shall be employed for more convenient and lighter duty and her wage cannot be decreased.

As a female employee, you should be allowed to take a total of one and a half hour breastfeeding leave when your child is below the age of one. It is also you/the mother who decides at what times and in how many installments you would like to use this leave. The length of the nursing leave shall be treated as part of the daily working time.

Upon your request as a female employee, you can take an unpaid leave of up to six months after the end of the sixteen weeks, or in the case multiple pregnancies, after the end of the sixteen weeks.

9. Elders pension



Elders allowance is granted after work life is ended and under specific conditions. You may find when you are able to get retire from Social Security Agency's website.

10. Relatives' allowance in case of death of an employee

What are the conditions to receive the relatives' payment?

Inheritors of the insurance holder employee might receive the decedent's allowance under certain conditions:

1. At least 1800 days of insurance for disability, old age or decedent must have been notified.
2. The insurance holders according to 4/1-(a) article, must have been insurance for at least 5 years and 900 days of insurance for disability, old age and decedent must have been notified.

Who is qualified for receiving relatives' allowance?

1. Spouse
2. Children
3. Parents

What is the relatives' assistance?

Relative's assistance is provided to the inheritors of the insurance holder who died during receiving permanent working incapacity payment or died as a result of a work accident or occupational disease. There is not a condition such as age, notified insurance day, or paid insurance charge. If the insurance holder dies on the first day at work as a result of a work accident or occupational disease, the inheritors shall receive relatives' assistance.

What is a funeral allowance?

The funeral allowance is a one-time only payment given to the decedent's family based on an amount decided by the board of directors of the Social Security Institution and approved by the Ministry of Labor, Social Services, and Family.

Conditions of funeral allowance

It is provided for the relatives of;

- The employee died as a result of work accident or occupational disease or,
- The employee died while receiving permanent working incapacity, disability or age allowance
- The employee died while he was in the process to qualify for disability age or relatives' insurance payment.

For those who notify 360 days of disability, age or demise insurance charge, it is not required to be insurance holder in the day of decease.

11. Employee benefits in case of work accident and occupational disease

What is a work accident?



Work accident is a workplace incident which creates disability or temporary incapacity and physical and/or psychological damage to the employee.

Work accident is the incident which occurs:

1. When you are at the workplace,
2. Due to the ongoing work performed by the employer,
3. When you are not performing your main work due to the reason that you were sent on a duty to another place out of the workplace,
4. During the times allocated for breastfeed as a female worker allocated
5. During the times on a vehicle provided by the employer,

and these events result in immediate or delayed, physical or mental handicap in the employee.

What conditions are required to be entitled to occupational accident coverage?

Social Security institution evaluates the accidents as an occupational/work accident;

- If you are an insurance holder
- If you had an accident and
- If you had a physical or psychological harm due to this accident

These three conditions are all together necessary to consider an incident as occupational/work accident.

Who shall be notified of a work accident and how?

Work accident of the employee shall be notified by the employer. The employer must inform the police immediately at the time when the accident happened and notify the Social Security Agency in 3 days at least.

Notification of the work accident

Work accidents of insurance holder employees must be notified via

- e-sigorta application (<http://uyg.sgk.gov.tr/IsvBildirimFormu/welcome.do>) or
- A form called “İş Kazası ve Meslek Hastalığı Bildirgesi” by mail or delivering personally to the provincial directorate of Social Security Agency. The form is available via “http://www.sgk.gov.tr/wps/portal/sgk/tr/calisan/form_ve_dilekceler/formlar” as “SGK-032-İş Kazası ve Meslek Hastalığı Bildirim Formu”

The benefits of work accidents insurance

These benefits are:

- Intermittent failure allowance
- Permanent working incapacity allowance
- Relatives' allowance (inheritable allowances)
- Marriage allowance
- Funeral allowance

And there are no insurance premium limits for the above-listed rights.

What is an occupational disease?



Any illnesses caused by recurring activities of the work, or the condition of the work and work place resulting in permanent or temporary illness, physical or mental disability.

What conditions are required for receiving occupational disease benefits?

If the health committee of the Social Security Institution confirmed and issued a medical report, the illness caused by the work will be considered as an occupational disease. For this, examination of medical reports has to be completed by someone authorized by the Social Security Institution and a medical board report has to be prepared accordingly.

Who is obliged to notify work disease and how?

The employer is obliged to notify. The employer shall notify the agency within 3 days from the time when the illness was recognized.

Notification of the occupational disease:

Occupational disease must be notified via

- E-sigorta application available on <http://uyg.sgk.gov.tr/IsvBildirimFormu/welcome.do> or
- A form called “İş Kazası ve Meslek Hastalığı Bildirgesi” by mail or delivering personally to provincial directorate of Social Security Agency. The form is available on “[SGK-032-İş Kazası ve Meslek Hastalığı Bildirim Formu](#)” from http://www.sgk.gov.tr/wps/portal/sgk/tr/calisan/form_ve_dilekceler/formlar

While these contents were prepared, the information on the website of Social Security Institution were used.