

Turkey

Basic information of domestic workers	<p>Information for 2011 (Erdogdu and Toksöz, 2013):</p> <ul style="list-style-type: none"> • Number of domestic workers: 446.000 (2011) • Percentage of women domestic workers: 92.3 • Percentage of urban domestic workers: • Percentage of migrant domestic workers: • Median/average income of domestic workers:
Legislation	<ul style="list-style-type: none"> • Social Insurance Law No. 506. 1964. • Labour Act of Turkey. Law No. 4857. 2003. • Law on Social Security and General Health Insurance. No. 5510. 2006.
National definition of domestic work	<p>In Turkey, the terms domestic services and domestic service providers are used in place of “domestic work” and “domestic workers”. Article 4(e) of the Labour Act of Turkey (No. 4857) excludes “domestic services” from the scope of this legislation.</p>
Regime of protection	<p>Coverage through general scheme of social security managed by social security administration (SGK) under the category of “Domestic Service”.</p>
Contingencies covered	<p>Covered Contingencies:</p> <ul style="list-style-type: none"> - Heath care - Sickness benefit, through social insurance institution (SGK) - Unemployment benefit, through social insurance institution (SGK and Employment Agency) - Employment injury benefit, through social insurance institution (SGK) - Maternity benefits, through social insurance institution (SGK) - Old-age benefits, through social insurance institution (SGK) - Invalidity benefits, through social insurance institution (SGK) - Survivors' benefits, through social insurance institution (SGK) <p>Are there provisions for maternity protection: pre, during and post natal care, income replacement during maternity leave? Maternity leave lasts 16 weeks, eight weeks before the birth and eight after. In the case of a multiple pregnancy (twins or more), maternity leave is increased to 18 weeks (Art. 15. Social Insurance and Universal Health Insurance Law).</p> <p>Prescribed qualification procedure (maternity): The worker must have contributed 120 days within the twelve months before the birth (Art. 16. Social Insurance and Universal Health Insurance Law).</p> <p>Are the dependents of domestic workers covered? Yes. Dependents may be unmarried children less than 18 years old; or less than 20 years old if receiving education in high schools; or under 25 years old if receiving in higher education; unmarried children determined to be disabled or the spouse (Art. 3. Social Insurance and Universal Health Insurance Law).</p>
Administration	<p>Social Security Institution (Sosyal Güvenlik Kurumu, SGK) managed by a general assembly, board of directors, and president, administers the program.</p> <p>Employment Agency administers the unemployment program.</p> <p>Ministry of Labor and Social Security provides general supervision.</p>
Social security coverage	<ul style="list-style-type: none"> • Coverage of domestic workers as a % of employed domestic workers: 5.1 % (2011) • Coverage of female domestic workers as a % of female domestic workers (employed): 3.88 (2011) <p>Source: Erdogdu and Toksöz (2013)</p>

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Financing issues

Is the contribution rate differentiated? No.

Reference wage for contribution payments: Nominal remuneration. The salary equivalent to all of the items that make up the nominal wage, including the net proceeds and other benefits provided by law.

Are there state subsidies for contributions? Yes. The State contributes 1 percent for unemployment insurance, and a quarter of total of the resources that have been collected of the Universal Health Insurance and Invalidity, old-age, survivors insurance. The subsidy is applied to various occupational categories.

Total contribution rate: 41.5 percent of salary plus state contributions as a function of the resources collected in the Universal Health Insurance and Invalidity, old-age, survivors insurance.

Social contributions of domestic workers, 2014.

Detail	Total	Employer	Employee	State
Total	41,5	20,5	20	1
Invalidity, old-age, survivors'	20	11	9	1/4 of collected premiums
Universal Health Insurance	12,5	7,5	5	
Work accident, occupational disease, sickness and maternity	2	2	0	
Unemployment Insurance (Employment Agency)	6	2	4	1

Source: SGK, 2014.

Are there tax incentives for employers to pay contributions? No.

Registration practices

Is the affiliation mandatory? Yes, but only domestic workers who work full time.

Entities involved: Social Security Institution (SGK).

Registration of domestic workers: Domestic workers have the same procedure as other salaried workers.

Is there a unique system of registration? Yes, including unemployment insurance.

Is there portability in the contributions between the schemes? Yes, when domestic workers change their occupational category, they are still protected under the social protection scheme.

Are there complaint mechanisms available (in case of non-compliance with social security legislation)? Yes, the worker can complain to Social Security Institution (SGK).

Are there inspection mechanisms to enforce the compulsory coverage? Yes. It is through social insurance (Social Security Institution, SGK) and institutions like Labour Inspection Board.

Are there rules for affiliation and payment of specific contributions to domestic workers working on a part time and/or multiple employers bases? No.

Contributory minimum wage: No.

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What is the process for registering domestic workers? The registration is under employer responsibility, at the social security offices or online (http://www.sgk.gov.tr/wps/portal/tr/e_sgk).

What are the specific requirements for registering?

- Fill out an application form, which must be signed by the employer.
- Identification of the employer.
- Identification of the worker.

Are there mechanisms to facilitate the payment of contributions?

- Online administration.
- Fax.
- E-mail.
- Mobile Application.

http://www.sgk.gov.tr/wps/portal/tr/e_sgk/mobil?CSRT=15139698280252798819

Collection of contributions

Is there a single national system for the collection of contributions? Yes. It is a unique system, administered by the Social Security Institution (SGK).

Are there measures to facilitate the payment of contributions? Yes. The procedure can be done in person, through the financial system, or a mobile application.

(http://www.sgk.gov.tr/wps/portal/tr/e_sgk/mobil?CSRT=15139698280252798819)

Are there sanction mechanisms for employers? Yes.

Coverage of women domestic workers

Are there special provisions in the law for women domestic workers? No.

Does the state subsidize contributions of (women) domestic workers? No. Subsidies cover all insurers and not just women domestic workers.

Are there problems of discrimination against women? What are these problems? No documentation / no evidence.

Migrant domestic workers

Is there a difference between national and non-national domestic workers in terms of protection? No.

Is there a difference between resident and non-resident domestic workers in terms of protection? No.

Are there special provisions in the law for coverage of migrant domestic workers? No.

Distinction between de jure coverage and de facto coverage: There is not enough information.

Are there any agreements on portability with other countries? Turkey has bilateral agreements primarily with European countries. The countries are: England (1961), Germany (1965), Holland (1968), Belgium (1698), Austria (1969), Switzerland (1972), France (1973), Libya (1985), Denmark (1978), Sweden (1981), Norway (1981), Cyprus (1988), Macedonia (2000), Azerbaijan (2001), Romania (2003), Georgia (2003), Bosnia-Herzegovina (2004), Canada (2005), Quebec (2005), Czech Republic (2005), Albania (2005), Luxemburg (2006) and Croatia (2012). More information available at: <http://www.sgk.gov.tr/wps/portal/en/>

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Is coverage of migrant domestic workers working well? No, they have similar problems as the rest of domestic workers (legal coverage but lack of effective coverage).

Migrant domestic workers as % of domestic workers:

Female migrant domestic workers as % of migrant domestic workers:

Urban migrant domestic workers as % of migrant domestic workers:

% migrant domestic workers contributing to social security (salaried):

Good practices

- Employers have access to a remote / web application for managing the Registration of a worker, pay taxes, change wages reported, get an invoice, and update information.
- State contributions to subsidize unemployment insurance financing.
- State contribution (subsidies) based on contributions collected in health insurance and pensions insurance schemes.
- It has several innovative mechanisms for the payment of social contributions.
- Single national and centralized system for the collection of contributions.

Barriers

- It is necessary to incorporate mechanisms for affiliation and contributory control for workers who are not registered.
- Improving articulation between the inspection service of the social security and the Ministry of Labour.
- Domestic workers are not mentioned in the law on labour.

Challenges

- Increase the coverage rate of social insurance.
- Improving articulation between the inspection service of the social security and the Ministry of Labour.
- Designing an insurance system for employees working for hours.
- Create a system of multi-employer insurance.
- Simplify bureaucratic formalities in social security procedures.

ILO standards ratification and application

- Social Security (Minimum Standards) Convention, 1952 (No. 102)

Reference

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