

Turkey – DISK/Genel-Is – Local Government / Municipal Sector

Turkey is one of the countries in which the spread of the coronavirus is very rapid. The first case was officially confirmed on 11 March 2020*. Since then, a number of measures have taken place but there is still not universal income guarantee, many non-essential sectors are still running, quarantine measures exclude many workers and within the given regulations we face unequal treatment to workers depending on their employment status or type of contracts in municipal workplaces. We have been putting efforts to pressure employers to take necessary health and safety measures as well as shift to an alternative work schedule providing all rights and benefits of workers. Also, we conducted a workplace survey with our 44 branch offices. Demands for total lockdown in the country along with stronger measures and guarantees have been voiced by unions, professional associations and the opposition but the government's policy and decision making process remains exclusive.

Working Conditions in Public Sector

13 March – By a Presidential circular, public workers who include pregnant women, those who on breast-feeding leave, employees with disabilities, those who are 60 years and older (except those in executive positions), disadvantaged groups defined by the Ministry of Health (those with immune problems, cancer patients, chronic respiratory diseases, obesity and diabetes, cardiovascular conditions, organ transplant patients, chronic illnesses) decided to have twelve days of administrative leave as of 16 March 2020.

22 March – Then, with the pandemic spread escalating, a new circular was published on March 22 to cover all employees in the public sector. Provided that there is a minimum number of personnel enough to not disrupt public services or weaken the fight against the disease:

1-Regardless of the form of employment (workers, civil servants, contracted personnel, both temporary-permanent workers, without discrimination) remote work, rotation, or flexible working models can be applied. Administrations of the relevant institutions will determine the procedures and principles of the regulations for this. In municipalities, these procedures and principles will be determined by the mayor.

2-In this context, those who work alternately will be considered on administrative leave when they are not working. Those who work remotely, alternately and with other flexible working methods and those who are counted on administrative leave will be considered to fulfill their responsibilities, and their financial, social rights and benefits and personal rights will remain.

3-Remote and employees in rotation and those on site will have equal responsibilities in service delivery.

4-Administrative leave, remote workers, and workers in rotation will not be able to leave their places (cities where the workplace is located) without the permission of their superiors, and they are to return to their positions if called.

5-Those previously considered on administrative leave will continue to be considered on administrative leave until a new decision takes place. Those who are sent on annual leave or casual leave, may be deemed as on administrative leave upon procedures and principles determined by the administrators of public institutions.

Genel-Is warns: (1) In case of remote work and rotation, workers will be considered on administrative leave. Where annual leave or unpaid leave is forced by the employer, it will be unlawful. (2) In a number of municipalities, employers claimed municipal company workers are not covered by this regulation. Under the laws and regulations in place, municipal company workers must be treated equally with permanent workers, as they perform equal work. (3) This regulation includes municipalities, therefore municipal employers should apply these procedures instead of applying for short-term allowance which will diminish workers' wages and other benefits.

Short-term Work

If the operation of the business is temporarily or partially stopped, short work can be put into practice in the workplace for maximum three months. The incomes of the workers will be paid from unemployment insurance to workers.

Workers who will benefit from this are required to meet the conditions set for being eligible to unemployment insurance. These conditions have been temporarily made easier.

Daily short-time working allowance will be 60% of the average daily gross earnings calculated based on the earnings for the last twelve months. But it cannot exceed 150% of the national minimum wage. Monthly amount will be between 1,752,40 TL and 4,380.99 TL.

Request for short-time working allowance is made by the employer, Turkish Employment Agency together with the reasons, and the union is notified. Decision is made by the Ministry of Family, Labour and Social Services.

Genel-Is warns: Applying for a short-time working allowance, instead of counting workers on administrative leave, will result in reductions in their wages and other financial rights. In addition, since insurance will not be paid, retirement and seniority rights will be impacted negatively. Also, short-time work period will be deducted from the time required for benefiting from unemployment benefit, and this will make it difficult for workers to be eligible. Protecting workers who are economically weak should be the primary task of municipal governments. Otherwise, there will be legal disputes arising due to the discrimination between permanent workers and municipal company workers both of whom are carrying out public services.

Survey: Health and safety in Genel-Is workplaces

As part of the Covid-19 outbreak, in our workplaces some occupational health and safety measures have been taken but there are still serious shortcomings. In this process, in our workplaces the most common measures include but does not cover all the workplaces:

- Unpaid leave for the workers in risk group (60 years old, pregnant workers and those chronically ill)
- Working time arrangements (shortening of the work-day, remote work or rotation)
- Paid leave for workers with children aged 12 and under
- Disinfection of the workplace and tools and equipment
- Limiting the number of users of common areas at workplaces,
- Limiting the number of workers using workers' transports

Cleaning is one of the most risky areas. The work load of the workers in these services increased and new responsibilities have been added to their job description. But the lack of training for workers, insufficient personal protective equipment, intensified work hours and the lack of distancing creates risks.

Our members working in **health services, urban transportation and public relations** are at great risk due to close contact with public and social distance rule not being applied.

Our members working in **public hospitals** suffer from the lack of personal protective equipment, overwork, increased workload. There is also unequal treatment for employees under different status: healthcare professionals and workers are not provided with same measures and benefits. Similarly, there is an urgent need to address health and safety of workers in residential workplaces.

*15 April 2020: Turkey confirmed 69,392 cases and 1,518 casualties.