



**T.C. AİLE, ÇALIŞMA VE
SOSYAL HİZMETLER BAKANLIĞI**



UNHCR
The UN Refugee Agency

Frequently Asked Questions (FAQs) on Work Permits

for Foreigners under International and Temporary
Protection in Turkey

List of Abbreviations

DGoILF : Directorate General of International Labour Force

iŞKUR : Turkish Employment Agency

MoFLSS: Ministry of Family, Labour and Social Services

SGK : Social Security Institution

TGNA : Turkish Grand National Assembly

UNHCR : United Nations High Commissioner for Refugees

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What is a work permit?

A work permit is an official document issued by the Ministry of Family, Labour and Social Services (MoFLSS). In this regard, as per the International Labour Force Law (No. 6735), adopted on 28 July 2016 by the Turkish Grand National Assembly (TGNA) and published on 13 August 2016 in the Official Journal, foreigners who wish to work in Turkey have to obtain a work permit from MoFLSS.

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When can I apply for a work permit?

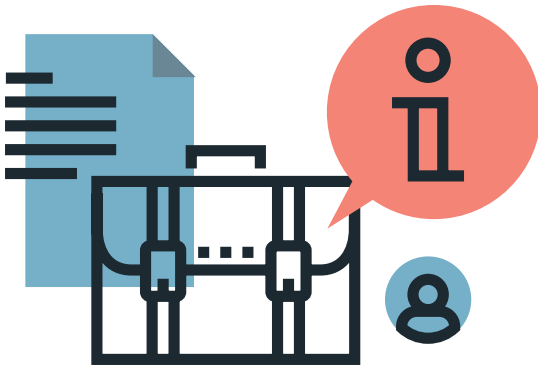
The applicant needs to hold an ID card, which bears an identification number starting with 99, to apply for a work permit.

If you are a beneficiary of temporary protection (TP), you can apply for a work permit six months after the completion of your TP registration to work in your registered province of residence.

If you are an international protection (IP) applicant or a conditional refugee status holder, you can apply for a work permit six months after the date of IP application to work in your registered province of residence. MoFLSS takes the opinion of the Ministry of Interior regarding work permit applications lodged to work in another province. Since identification cards indicating the status of refugees and subsidiary protection status holders substitute for work permits, these persons do not need to lodge another work permit application.

How can I apply for a work permit to work under an employer?

An application for work permit shall be lodged through the online “e-devlet” (e-state) system by the employer who wishes to employ a foreigner. An “employer record” can only be created by “e-notification officer” for application on the e-permit system of MoFLSS and the application can only be made by persons authorised on the system.



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Can I set up my own business?

If you are under TP, you can register your own business with official institutions like Turkish citizens. Persons, who would like to set up their own business, must lodge an application individually.

IP applicants and conditional refugees, on the other hand, can set up their own business, on condition that they meet the assessment criteria laid down on the website of MoFLSS and obtain a work permit. You can find further information on the subject through the below link:

<https://birim.ailevecalisma.gov.tr/uigm/Contents/calismaizni/izindegerlendirmekriterleri/>

Refugees and persons under subsidiary protection may work independently with identification documents issued to them and without obtaining a work permit.

How can I set up and register my own business?

Persons, who would like to work independently under their own name, may apply for a work permit upon meeting the following procedural requirements related to the establishment of their business:

- Tax certificate must be issued after obtaining tax identification number,
- For company partners, the business must be registered with the Trade Registry Gazette,
- Traders, merchants and craftsmen, who are natural persons, must obtain the relevant documentation demonstrating the activity of their workplace, such as a copy of chamber of commerce registration.

Upon obtaining the relevant documents, the person, who would like to set up his/her own business, can file an application for work permit. An “employer record” can only be created by “e-notification officer” on the e-permit system of MoFLSS and the application can only be made by persons authorised on the system. The authorities (municipalities) will seek a valid work permit to grant a business license.

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Who is notified of the result of the work permit application and how is he/she notified?

An informative e-mail indicating that the work permit has been granted is sent to the employer by MoFLSS. Furthermore, the current status of the application can be viewed from the “Application Tracking” section on the e-permit system developed by MoFLSS. The work permit document in the form of a card, which is issued by MoFLSS for the employee to work under an employer or for the independent work permit applicant to work in his/her own business, will be sent by PTT Cargo to the address where the foreigner will work. Mail tracking can be performed through PTT Cargo by entering “268004” before the work permit barcode number.

What is a work permit exemption and how can it be obtained?

TP beneficiaries, IP applicants and conditional refugees, who would like to work in seasonal agriculture and animal husbandry sectors, can work by obtaining a work permit exemption. In order to apply for a work permit exemption, you must have a foreigner's identification number starting with 99.

The application for work permit exemption shall be lodged to the Provincial Directorate of Labour and Employment Agency in the individual's registered province of residence. A work permit exemption information form, valid for no longer than a year, is delivered to the applicant.



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I hold a valid work permit. Can I apply for a work permit exemption?

No, you can only lodge an application for work permit exemption only after the cancellation or expiration of your valid work permit.

If you are a TP beneficiary, conditional refugee or IP applicant, you must have a valid identification document at the date of work permit exemption application.

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What document will I need to obtain after my application for work permit exemption has been accepted?

You will be issued a work permit exemption information form, valid for no longer than a year, if your request is deemed appropriate.

What is the employment quota? How is it applied?

The employment quota for TP beneficiaries is one to ten. In other words, in a single workplace, the number of TP beneficiaries cannot exceed ten percent of Turkish employees. For example, if you have 100 Turkish employees, you can employ 10 individuals under TP. However, if there are less than 10 employees in a workplace (including the case of the non-presence of Turkish employees), a maximum of one TP beneficiary can be employed. However, the quota may be waived if the employer is able to present a document, in the four-week period before applying for a work permit, issued by the Provincial Directorate of Labour and Employment and indicating that no Turkish citizen with an equal skill set can be found for the position.

While setting quotas, MoFLSS takes into consideration vacant jobs and job placements by sectors and provinces, for which work permit applications are lodged.

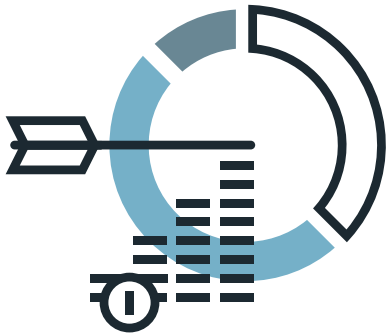
The employment quota for IP beneficiaries and conditional refugees is one to five. This means that, in a workplace with five Turkish citizens, one foreigner may be employed. Identification documents granted to refugees and subsidiary protection status holders substitute for work permits. This document allows the foreigner to work on a dependent or an independent basis and these persons are not included in the quota practice.

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Is there a gender quota applied within the employment quota as well?

No, this quota is followed regardless of gender. It is determined according to the total number of Turkish employees working in that enterprise.

Is the employment quota applied over an entire company (which may contain multiple offices or branches) or just over the specific workplace in which the foreigner will work?



The number of Turkish employees in all workplaces of the company across Turkey is taken into account when applying the employment quota.

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Is there a quota for seasonal workers?

No, there is currently no quota limitation for IP applicants and TP beneficiaries who will work in seasonal agriculture and animal husbandry jobs.

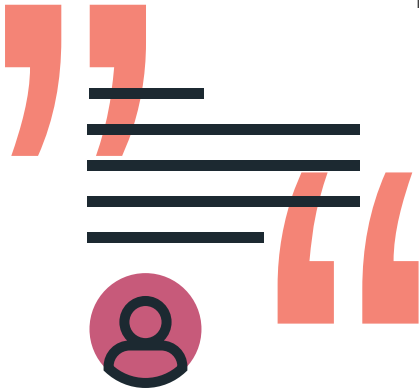
Are there any grants that I can receive to set up my own business?

Yes. A limited number of business set-up grants are currently available via UNHCR and international/national NGOs. Additionally, the Government of Turkey offers incentives for entrepreneurship. Relevant information can be accessed at:

<http://www.kosgeb.gov.tr/site/tr/genel/detay/1231/girisimcilik-destek-programi>

<http://help.unhcr.org/turkey/>

<https://turkey.servicesadvisor.org/>



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What is the legal working age in Turkey?

The employment of children under 15 is prohibited in Turkey. However, 14-year-old children who have completed primary education may engage in light work that does not hinder their physical, mental and moral development and also does not prevent their school attendance. In that case, the employment contract needs to be drafted by the employer and signed by the parent or guardian.

What documents are required to obtain a work permit?

Documents required for TP beneficiaries:

- Employment contract signed between the employer and the employee (you can find samples of employment contracts at the below webpage:

<https://birim.ailevecalisma.gov.tr/uigm/contents/belgeler/istenilenbelgeler>

- Trade registry gazette, certificate of good standing, tax certificate, etc., showing the presence of the owned business for persons working independently under their name,
 - One biometric photograph of the individual,
- A document proving the applicant's relationship or partnership with the company must be submitted during the application.
 - An "employer record" can only be created by "e-notification officer" on the e-permit system of MoFLSS and the application can only be made by persons authorised on the system.

Documents required for IP applicants and conditional refugees:

- The related documents vary depending on the area of activity of the business and the foreigner's position. To view the criteria in question, please visit: <https://birim.ailevecalisma.gov.tr/uigm/Contents/calismaizni/izindegerlendirmekriterleri>

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I am a TP beneficiary, how can I find my ID number starting with 99?

Please go to the link below with your foreigner ID number starting with 98, make a query and learn your new ID number starting with 99.

<http://www.goc.gov.tr/gecicikoruma/Pages/YabanciKimlikSorgulama.aspx>

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What kind of a contract shall be concluded between the employer and the employee in order to obtain a work permit?

A “Fixed-Term Employment Contract”, which indicates information such as the employer’s title, the foreigner’s name, surname, workplace address, position to be filled, salary to be received, etc., shall be signed by the employer and the employee and also bear the stamp of the employer. A sample contract can be found at the link below:

<https://birim.ailevecalisma.gov.tr/uigm/contents/belgeler/sozlesmevedilekceornegi/>

How much does the work permit cost?

The application for work permit is not subject to any fees, no payment is necessary at the time of the application. However, if the application has been granted, the employer is notified through an e-mail indicating that his/her application has been granted and that the “fee for work permit” and the “fee for valuable paper” shall be paid. You can find detailed information from the link below:

<https://birim.ailevecalisma.gov.tr/uigm/contents/calisma-iznine-dair-bilgiler/harcvebankabilgileri/>



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How does the rule of “six months stay in Turkey” following the registration function?

At the date of the application for work permit or work permit exemption, the individual:

- must have been registered under TP for a minimum period of six months OR
- must have lodged an IP application at minimum of six months prior to the application for work permit or work permit exemption.

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What is a preliminary permit? When is it needed and how can it be obtained?

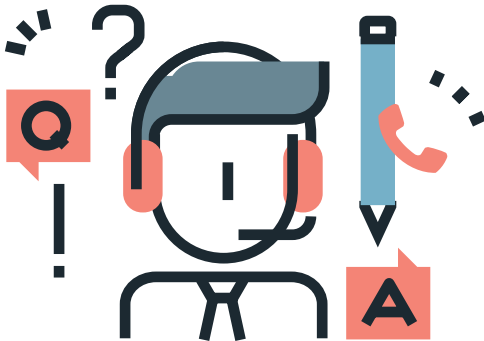
The preliminary permit shall be obtained for the below professions from the relevant authorities as indicated below:

- Healthcare professionals shall apply to the Ministry of Health,
- Education professionals shall apply to the Ministry of National Education or the Council of Higher Education.

For the aforementioned professions, work permit applications filed without preliminary permits will not be evaluated.

Can I work in any province after receiving an official identification document?

No, you can only work in your province of residence. In other words, the province indicated as the province of residence on your IP ID card/TP ID card issued to you by the Directorate General of Migration Management (DGMM) under the Ministry of Interior will be the province where you can work. You may work in the determined province by obtaining work permit or work permit exemption. If you wish to work in a different province, then you must first apply to the Provincial Directorate of Migration Management (PDMM) to change your province of residence.



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Will there be any limitation on employment?

Apart from the quota applicable to foreigners employed in a workplace (see above), certain professions in Turkey can only be practiced by Turkish nationals pursuant to other applicable regulations. Therefore, work permit applications lodged for those professions are rejected. The below professions are reserved exclusively for Turkish citizens and it is against the law for foreigners to be employed in them:

- Dentist,
- Patient care personnel,
- Pharmacist,
- Veterinarian,
- Managing director at a private hospital,
- Attorney,
- Notary public,
- Security personnel in government institutions or private organisations,
- Export of corals, pearls, sponges and mussels, oysters and fish within the Turkish territorial waters, diver, excavator, harbour pilot, captain, engineer (in maritime context), shipping clerk, and crew in maritime navigation, etc.,
- Customs broker,
- Tourist guide,
- Judge,
- Prosecutor.

Under which conditions will the employment quota be removed?

The employment quota may not be applied on condition that no Turkish citizen with an equal skill set can be found for the vacant position considered to be filled by the foreigner.

However, in such a case the employer shall submit a labour force request to the relevant Provincial Directorate of Labour and Employment. Within four weeks following the request, the relevant provincial directorate will evaluate whether a Turkish citizen having the same skill set is available for the position. At the end of the four-week period, if it is identified that no Turkish citizen of the same skill set is available for the position for which the foreigner has applied, a document is issued by the Provincial Directorate to the employer, stating that the foreigner can be employed. Upon submission of this document to MoFLSS, the said quota may be lifted.



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Will there be any separate wage regulation?

No. Persons under IP and TP are subject to the applicable labour legislation in Turkey. In this regard, the provision prohibiting anyone to work for less than the minimum wage is also applicable to them.

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Is it necessary to obtain permission from PDMMs while leaving the province for another job or for business trips?

The work permit shall be valid only in the province of residence. For any travel out of that province, the person will need to obtain a “travel document” from the relevant PDMM. If the person is assigned outside the province by the company, the necessary permission needs to be received from the relevant PDMM.

The necessary documents for permission:

- A letter of application stating the purpose of travel,
- Two passport photographs,
- A copy of identification document.

Is a work permit application lodged through the e-permit gateway sufficient?

Yes. All procedures will be completed on the Internet through the e-permit system and therefore no hard copy documents need to be submitted to MoFLSS.

Please follow the link for the e-permit system website:
<https://ecalismaizni.ailevecalisma.gov.tr/#/eizin>



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When does a work permit need to be renewed?

Work permits are initially issued for a period of one year. The renewal application process shall be initiated 60 days prior to the end of the one year period of validity and, in any case, before the expiration of the valid permit.

Work permits and work permit exemptions of IP applicants, conditional refugees and TP beneficiaries can be renewed for a period of one year at a time.

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Is it possible for an employee to apply for multiple work permits in order to work in more than one job at the same time?

No. IP applicants, conditional refugees and TP beneficiaries may only lodge an application to work in a single job.

Refugees and persons under subsidiary protection do not need to lodge an application for work permit. Their identification documents substitute for work permits.

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How is the social security fee deposited?

Employers shall be responsible for depositing the social security fee for the employee.

The tracking process shall be conducted by MoFLSS.

Those working independently under their own names are required to pay their own social security fees.

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What are the healthcare benefits that one can receive with a work permit?

Employees under IP or TP, whose social security fees are paid by their employers, may benefit from all healthcare services within the scope of the Social Security Institution (SGK).

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What type of insurance is applied for employees under TP or IP holding work permits?

4A wage-employment (a person working as an employee).

4B self-employment (a person founding a company under his/her name and paying his/her own social security fees).

Employees temporarily working in seasonal agriculture and/or animal husbandry jobs are required to pay their social security fees pursuant to Annex-5 Agriculture Insurance. However, employers are obliged to pay the social security fees of employees who work for over 30 days or permanently in seasonal agriculture and/or animal husbandry jobs.

What are the rights of work permit holders?

In addition to the aforementioned social security benefits and without prejudice to the vested social security rights which are exercised subject to the relevant provisions of the legislation, he/she is entitled to the same rights, except the regulations in special laws, as the ones granted to a Turkish employee who is working in the same workplace.



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Are there any procedures to be followed in case of change of employment?

Yes, the cancellation of the work permit (in the form of a petition) shall be uploaded by the employer to the e-permit system of MoFLSS in PDF extension after the employee leaves his/her job for some reason. The cancellation should be made within a maximum of 15 days following the expiration or cancellation of the contract.

The new employer may subsequently lodge an application for a work permit under a new employment contract, after the previous work permit has been cancelled. To obtain a work permit, the new employer should follow the same procedures without waiting for a period of six months, which is necessary for the first work permit to be obtained. Following the cancellation of the work permit, IP applicants, conditional refugees and TP beneficiaries need to hold an ID card valid as of the date of job application for the new company.

Since identification cards indicating the status of refugees and subsidiary protection status holders substitute for work permits, these persons do not need to lodge another work permit application.

Is it possible for a person who has been granted a work permit to be transferred to another branch of the same company, or to work temporarily in other branches of the company?

No, in case of a transfer to another branch of the same company, a new work permit needs to be obtained.

What is the Turkish Employment Agency (İŞKUR)?

How can I register with İŞKUR?

İŞKUR is the authority that registers job seekers and provides job placement services to them. İŞKUR also provides vocational training courses, on-the-job training programmes and entrepreneurship training programmes.

Persons registered under IP or TP for a minimum period of six months can apply to Provincial Directorates of Labour and Employment Agency and be registered with them to benefit from services offered by the institution as a “job seeker”.

Moreover, such persons can attend the abovementioned courses and training programmes, and benefit from vocational and on-the-job training programmes.

A work permit application can be lodged to MoFLSS for those who receive vocational training and on-the-job training within the framework of the training courses and programmes under the “Active Labour Force Services Project” of İŞKUR if they would like to work in the same workplace at the end of the training period. A different employment quota may be applied by MoFLSS to applications lodged within this scope.

What skills and vocational training opportunities exist in Turkey?

Various vocational training programmes are offered by İŞKUR. Additionally, language courses, vocational skills courses as well as hobby courses are offered by Public Education Centers (PECs) free of charge to persons under IP and TP. A person under IP/TP is required to be registered with a PEC. Each PEC may determine which courses it would offer and may open new courses based on local demand.

Additionally, there are many opportunities offered by UNHCR. Please see contact information at the end of this document and click the links below to find further information about the vocational courses and support available in your province:

- <http://help.unhcr.org/turkey/>
- <https://turkey.servicesadvisor.org/>
- <https://www.iskur.gov.tr/is-arayan/kurs-ve-programlar/mesleki-egitim-kurslari/>

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Can I find a job after completing vocational training?

The skills you gain during a vocational training could potentially match with available work opportunities. The first step is to become registered with İŞKUR in order to find a job. Additionally, you may approach human resources consultancy companies. UNHCR partners will provide you with support related to registration with İŞKUR and contact with human resources companies. The links below, prepared by İŞKUR also provide comprehensive information in Turkish. An online Arabic version will also be available soon:

- <http://www.iskur.gov.tr/is-arayan/aktif-isgucu-programlari/>

Where can I get detailed information and support about my work permit application?

The Communication Centre of the Ministry of Labour and Social Services provides quick and effective solutions to all questions, suggestions, remarks, reports, complaints and applications regarding social security. You can contact the Ministry's Communication Centre Line, "ALO 170" both within the country and from abroad.

www.alo170.gov.tr <https://birim.ailevecalisma.gov.tr/uigm>

Please contact UNHCR partners directly to find out about your rights, responsibilities and the services available to you. See the full list of UNHCR partner offices that support access to the labour market below:

UNHCR Help Website

<http://help.unhcr.org/turkey/>

UNHCR Services Advisor

<https://turkey.servicesadvisor.org/>

Find out your rights, responsibilities and the services available to you at:

The Communication Centre of the Ministry of Family, Labour and Social Services “ALO 170”

www.alo170.gov.tr <https://birim.ailevecalisma.gov.tr/uigm>

Public Relations Department of the Directorate General of International Labour Force

+90 (312) 296 60 00 / 18

UNHCR Help Website

<http://help.unhcr.org/turkey/>

UNHCR Services Advisor

<https://turkey.servicesadvisor.org/>



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