



# I am a refugee from Syria. Can I work legally in Turkey?

Syrian nationals as well as refugees and stateless persons from Syria who have arrived to Turkey are granted temporary protection status. Persons under temporary protection are entitled to apply for a work permit six months after the completion of temporary protection registration. To apply for a work permit, it is essential to have a Temporary Protection ID Card, which bears a Foreigners' ID Number starting with '99'.

As a general rule, applications for work permits for persons under temporary protection should be made by the employer via the e-Government gateway. The Ministry of Labor and Social Security processes all decisions concerning work permit applications. For detailed and up-to-date information in the Arabic language, please consult the official website of the Ministry of Labor and Social Security at <http://www.csgb.gov.tr>. You may also call the 170 Hotline, the Call Centre for the Ministry of Labor and Social Security.

## Is it possible to obtain a work permit exemption?

Turkey adopted the "Regulation on Work Permits of Foreigners under Temporary Protection" in January 2016. According to this regulation, as well as Law No. 6375 on International Labor Force, persons under temporary protection are eligible for exemptions in two sectors: seasonal agricultural or husbandry jobs. However, please be informed that this exemption is not granted automatically, and thus you must formally apply for the exemption. Persons under temporary protection are entitled to apply for a work permit exemption six months after the completion of temporary protection registration.

Work permit exemption applications are available at the Provincial Directorate of Work and Labor in your city of registration. This agency will process your application through the Ministry of Labor and Social Security and will inform you of any positive response from the Ministry. You may check your eligibility for the exemption by entering your Foreigners' ID Number on the official website of the Foreigners' Work Permit Inquiry System at [www.calismaizni.gov.tr](http://www.calismaizni.gov.tr).

Please be aware that the work permit exemptions for seasonal agricultural or husbandry jobs are geographically limited to provinces where temporary protection status is granted.

## Are there any restrictions on labor market access in Turkey?

According to the applicable domestic legislation, foreigners are prohibited from undertaking certain jobs or occupations, which include the following: dentist, caregiver at hospitals, pharmacist, veterinarian, lawyer, public notary, security at a private or public institution, director of a private hospital, tourist guide, customs consultant, as well as sea captain, seaman, fisherman, diver, and similar jobs within territorial waters.

## Are there additional requirements for work permits?

Persons under temporary protection who wish to work in the health and educational sectors are required to obtain preliminary permission. Applications made without preliminary permission are denied without further evaluation.

Members of the health profession are required to approach the Ministry of Health to obtain preliminary permission. Members of the educational profession should either approach the Ministry of National Education or Council of Higher Education, depending on the nature of the job.

Similarly, persons who wish to apply for research and development staff positions in companies accredited as Research and Development Centers (Ar-Ge) are required to approach the Ministry of Science, Industry and Technology to obtain preliminary permission.

## How are applications for work permits assessed?

Key provisions concerning work permits for foreigners are laid down in Law No. 6375 on International Labor Force. As stated above, as a general rule, work permit applications should be made by employers.

The law requires employers to meet a number of criteria to recruit a foreigner. This includes a requirement that the number of foreigners under temporary protection employed in a workplace cannot be more than 10 per cent of Turkish citizens employed in the same

workplace. In addition, workplaces with fewer than 10 employees are only allowed to recruit a maximum of 1 person under temporary protection.

However, if the employer can demonstrate that there are no Turkish citizens with the same qualifications available to perform tasks expected of the foreigner within four weeks prior to the date of the work permit application, the Ministry of Labor and Social Security may disregard the employment quota. Employers are required to certify this situation with a document obtained from the Provincial Directorate of Work and Labor where the workplace is registered.

Thus, key criteria for the assessment of work permit applications include:

- a) Whether the application for a work permit has been made six months after the completion of temporary protection registration;
- b) Whether the application is made for a workplace in the city of registration;
- c) Whether the employer meets the requirements as stipulated under the above-mentioned cap/quota system;
- d) Whether the work permit application falls into the category of prohibited jobs or occupations;
- e) Whether there is a pre-permission requirement that has been duly observed and met; and
- f) Whether there is a negative finding issued by authorities with regard to the work permit application.

Please note that throughout the evaluation process, updates are regularly communicated to the employers via e-mail. Alternatively, your employer may also check the status of your application via the website for the Ministry of Labor and Social Security.

## **I have been granted a work permit. When can I start work?**

You must begin or continue your job/occupation within 30 days of being granted the work permit. Your employer is also under obligation to report your start date to the Ministry of Labor and Social Security within 15 days.

## Can I work elsewhere with my work permit?

As a general rule, since work permit applications are made by employers, your work permit will cease to be valid, regardless of duration, if you leave your job. Similarly, you cannot work in multiple workplaces with a single work permit. Thus, if you wish to apply for a job in a different workplace, your new employer is required to make a new application on your behalf.

## Will my work permit continue to be valid if I am dismissed?

As stated above, as a general rule, work permits for foreigners are bound to a specific workplace (or household). Thus, should your employment contract be terminated for any reason and should you wish to continue to work in another workplace, your new employer is required to make a new application.

## I am employed with a work permit. What are my rights?

Your employer cannot pay you a wage lower than the legally determined minimum wage. If your employer claims that you are not eligible for minimum wage due to your nationality, the employer is being dishonest. All employees, regardless of nationality, are entitled to minimum wage.

According to the applicable social security legislation, your social security coverage is not conditional upon citizenship. Your employer is under the obligation to register you in the social security system and pay your social security premium on a regular basis. Employers who fail to comply with these requirements risk heavy administrative fines. If your employer has failed to pay your social security premium, you have the right to approach the Regional Directorate of Labor and Social Security and file a complaint. Your complaint should include relevant documents that demonstrate your work status. If you do not have any of these, you may also provide witness statements. Alternatively, you may call the number 170, the Hotline of the Ministry of Labor and Social Security, to report employers who have failed to comply with legal requirements.

However, if you are working in the seasonal agriculture or animal husbandry sectors with a work permit exemption, you are subject to a different regime. In this case, your employer is obligated to register you in the social security system only if your total duration of work exceeds 30 days.

# What are my rights if I have an accident while I am working?

Work-related accidents are not confined to accidents in your workplace. Accidents that take place while you are doing a work-related task outside the workplace also fall under the work-related accidents category.

Your employer may be responsible for immediate or subsequent physical and/or psychological injuries arising from work-related accidents.

Your employer is obligated to report the accident within 3 days to the Regional Directorate of Labor and Social Security. Should your employer fail to do so, you may also report it in person. It is important to provide all relevant documents with your report.

You are also entitled to make a claim for personal injuries. To do this, you must approach the Social Security Directorate. You will be referred to a hospital for an assessment of the physical injury and if need be, the degree to which you are disabled. Depending on the assessment, you may apply for a disability pension and/or temporary incapacity allowance.

## What if I work without a work permit?

It is legally prohibited to work without a work permit or work permit exemption. Both the employer and employee may face administrative fines.

## How can Refugee Rights Turkey help me?

Refugee Rights Turkey provides free information and assistance to persons seeking international protection and those under temporary protection in Turkey. You may approach our office with questions concerning access to protection mechanisms in Turkey and fundamental rights and freedoms.

# Is Refugee Rights Turkey related to the Turkish government or to UNHCR?

No. Refugee Rights Turkey is an independent civil society organization. It is not an implementing partner of the Turkish government or UNHCR. However, Refugee Rights Turkey cooperates with relevant Turkish authorities and UNHCR to ensure the legal protection of persons seeking international protection and those under temporary protection in Turkey.

# Do I need to pay for services provided by Refugee Rights Turkey?

All services provided by Refugee Rights Turkey are free of charge. Should you become aware of any person or entity claiming to be acting in our name who requests any money or other financial benefit, please report them immediately to our office. We will maintain your confidentiality.

# Will Refugee Rights Turkey keep my information confidential?

Refugee Rights Turkey operates under a principle of strict confidentiality and respects the confidentiality of individuals. Thus, we do not share your information or documents with any third parties without your consent.

# Refugee Rights Turkey- Contact Information:

Wherever you may be in Turkey, you are welcome to visit our office or get in touch with us by telephone, fax, or email all weekdays (Monday to Friday) from 10:00 AM to 5:00 PM.

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Refugee Rights Turkey



Refugee Solidarity Network



US Department of State  
Bureau of Population,  
Refugees, and Migration