

# ACCESS TO LABOR MARKET FOR INTERNATIONAL PROTECTION APPLICANTS AND BENEFICIARIES IN TURKEY

## QUESTIONS AND ANSWERS

Mülteci  
Hakları  
Merkezi

Refugee  
Rights  
Turkey

ULUSLARARASI KORUMA ALTINDAKİ KİŞİLER İÇİN  
İŞGÜCÜ PİYASASINA ERİŞİM

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İNGİLİZCE

This resource is produced by **Refugee Rights Turkey (RRT)** in the context of a project partnership with US-based **Refugee Solidarity Network (RSN)**. The information presented here is for informational purposes only.



Mülteci Hakları  
Merkezi



Refugee Solidarity  
Network

## **I am an asylum seeker in Turkey. What should I do to work legally in Turkey?**

As a rule, foreigners in Turkey are obligated to obtain a “work permit” in order to work legally. If you have left your country due to war and persecution, and you are seeking asylum in Turkey, you must submit an “international protection application” to regularly stay in Turkey and access rights and services provided under international protection. According to the provisions of the Law on Foreigners and International Protection, international protection applicants can apply for a work permit six months after completing their international protection application.

Your international protection application will be processed and evaluated by the Provincial Directorate of Migration Management. If the evaluation is positive, you will be granted one of the three types of international protection statuses available in Turkey. For detailed information on international protection procedures, please contact Refugee Rights Turkey or refer to our relevant information booklet.

As a rule, work permit applications of international protection applicants and status holders should be made by the employer via the e-Government Gateway. The Ministry of Labor and Social Security is entrusted with the mandate to receive, assess and make final decisions concerning work permit applications. For detailed and up-to-date information in your language, please consult the official website of the Ministry or call the 170 Hotline.

## **I am an international protection applicant. Can I work legally in Turkey?**

As per applicable legislation in Turkey, persons who submitted an international protection application but have not received a final decision about their application are considered “international protection applicants.”

To work legally for an employer or to work independently, international protection applicants should first obtain a work permit. You become eligible to apply for a work permit six months after the completion of your

international protection application. You are not allowed to apply for a work permit before the end of this six-month period.

## **I have been granted conditional refugee status. Can I work legally in Turkey?**

If you are granted conditional refugee status as a result of your international protection application, you must obtain a work permit to work legally for an employer or to work independently. You become eligible to apply for a work permit six months after the completion of your international protection application. You are not allowed to apply for a work permit before the end of this six-month period.

## **I have been granted refugee status. Can I work legally in Turkey?**

If you are granted refugee status as a result of your international protection application, you can work for an employer or independently.

Persons who have been granted refugee status shall be issued an identity document bearing a foreigner ID number starting with '99'. This identity document will also serve as a substitute for a work permit. The corresponding authorization will be written on the identity document. Thus, persons granted refugee status do not need to apply separately to obtain a work permit.

## **I have been granted subsidiary protection. Can I work legally in Turkey?**

If you are granted subsidiary protection status as a result of your international protection application, you can work for an employer or independently.

Persons who have been granted subsidiary protection status shall be issued an identity document bearing a foreigner ID number starting with '99'. This identity document will also serve as a substitute for a work permit. The corresponding authorization will be written on the identity

document. Thus, persons granted subsidiary protection status do not need to apply separately to obtain a work permit.

## **How do I apply for a work permit?**

Persons holding refugee or subsidiary protection status are eligible to work at a workplace for an employer or independently as soon as they obtain their status. Thus, persons granted refugee or subsidiary protection status do not need to separately apply to obtain a work permit.

Work permit requests regarding international protection applicants and conditional refugee status holders, as a rule, should be submitted by their employers via the e-Government Gateway. If you have established a business in compliance with the regulations in Turkey and will work on your own behalf and account, you should apply for an “independent work permit”.

You will be eligible to submit your work permit request six months after your international protection application date. This application is submitted via the e-Government Gateway. During the application, the system will require you to upload various documents and relevant information concerning you and the employer. One of the documents to be uploaded is the employment contract between you and your employer.

## **What is an independent work permit?**

As per current regulations regarding foreigners’ work permits in Turkey, the type of work permit that allows individuals to be self-employed and to have the right to work on their own behalf and account, is called an “independent work permit”. If you have established a business in compliance with the regulations in Turkey and will work on your own behalf and account, you should apply for the “independent work permit”. Foreigners who apply for the independent work permit should apply on their own.

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

According to the Law No. 6375 on International Labor Force and the Regulation on Work Permits of International Protection Applicants and Beneficiaries, persons with international protection applications or conditional refugee status are eligible for exemptions in two sectors: seasonal agricultural and husbandry jobs. However, this exemption is not granted automatically, and thus you must formally apply for the exemption. International protection applicants and conditional refugee status holders are entitled to apply for a work permit exemption six months after the completion of their international protection application.

Work permit exemption applications should be submitted to 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 a work permit exemption will be granted if the Ministry decides positively. The individuals who are identified as appropriate to work in the seasonal agriculture and husbandry sectors will be issued a work permit exemption document.

Please be aware that the work permit exemptions for seasonal agriculture or husbandry jobs are geographically limited to the province in which you are registered.

Persons with refugee or subsidiary protection status do not need to apply for a separate work permit exemption to work in the seasonal agriculture or husbandry sectors.

## **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 any additional requirements for work permit applications?**

Foreigners who wish to work in the health and educational sectors are required to obtain preliminary permission. Applications made without preliminary permission or approval 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 the 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 are required to approach the Ministry of Industry and Technology to obtain pre-approval.

Individuals who will apply for a work permit to work in the above-mentioned areas need to receive the required preliminary permission or approval before submitting their applications.

## **How are applications for work permits assessed?**

According to the Law on International Labor Force and the Regulation on Work Permits of International Protection Applicants and Status Holders, key criteria for the assessment of work permit applications include:

- Whether the application for a work permit has been submitted six months after the completion of an international protection application;
- Whether the employer meets the requirements of the foreign employee quota system;
- Whether the work permit application falls into the category of prohibited jobs or occupations;
- Whether there is a pre-permission or a pre-approval requirement that has been duly observed and met; and

- Whether there is a negative finding issued by authorities regarding the work permit application.

Please note that throughout the evaluation process, updates are regularly communicated to the employer via e-mail. It is also possible to check the status of an application via the e-Government Gateway.

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

You must begin working 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?**

Based on the legislation, since work permit applications are made by employers and permits are granted for a specific workplace or residence, your work permit will cease to be valid, regardless of its duration, if you leave your job. Similarly, you cannot work in multiple workplaces with a single work permit.

Thus, if you wish to work at a different workplace, your new employer is required to submit a new application on your behalf.

## **Is it possible to extend my work permit?**

The legislation envisions that foreigners who are applying for a work permit for the first time will receive a work permit valid for no more than 1 year. If you are planning to continue working for the same employer after the expiration date of your work permit, you should apply for a work permit extension before the expiration date of your current permit. At the earliest, you will be able to apply for an extension sixty days before your work permit expires. Extension applications submitted after the expiration date of a work permit will not be processed.

Applications for the extension of work permits should be submitted by the employer via the e-Government Gateway, same as for the initial work permit applications.



Finally, if you would like to change your workplace after your work permit expires, the application submitted on your behalf by your new employer will qualify as a new work permit application rather than an extension request.

## **Will my work permit continue to be valid if I am dismissed from my current workplace?**

As a rule, work permits for foreigners are bound to a specific workplace or residence. Thus, should your employment contract be terminated for any reason and should you wish to continue to work at another workplace, your new employer is required to submit 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 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 Provincial Directorate of the Ministry 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, to report employers who have failed to comply with the 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 at 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.

As a rule, your employer must report the accident right away to the police unit and the health institution where your workplace is located. Additionally, your employer is obligated to approach the Social Security Office within three days after the accident. Should your employer fail to do so, you may also report it in person. It is important to provide all the documents relevant to the accident with your report.

After reporting, 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 as a result of the injury. Depending on the assessment, you may apply for a disability pension and/or a 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 the employee may face administrative fines. Additionally, foreigners who work without a valid work permit may be subject to other administrative procedures. You can approach our organization to obtain more detailed information on this subject.

## **I want to receive vocational training. What are my opportunities?**

You may approach Public Education Centers to receive vocational training. Public Education Center courses are free of charge. However,

please be aware that each Public Education Center determines course offerings on a yearly basis and may open new courses on demand. We therefore recommend that you approach the Public Education Centers to inquire about available courses. Please also note that you will be required to present your identity document before you can enroll in these courses.

The Turkish Employment Agency (İŞKUR) also runs several vocational courses. You may approach the Turkish Employment Agency offices to ask about course availability. Finally, there are civil society organizations that provide free skills training, hobby, and vocational courses under the supervision of the Ministry of National Education.

## **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 your questions on the right to access protection mechanisms in Turkey and fundamental rights and freedoms.

## **Is Refugee Rights Turkey related to the Turkish government or to the United Nations High Commissioner for Refugees?**

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

## **Do I need to pay for Refugee Rights Turkey's services?**

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 money or other financial benefits, please report them immediately to our organization. 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 explicit and informed consent.

## **How can I reach Refugee Rights Turkey?**

Wherever you may be in Turkey, you are welcome to get in touch with us all weekdays (Monday to Friday) from 10:00 AM to 5:00 PM to discuss your questions or concerns regarding asylum procedures.

**Mülteci Hakları Merkezi**  
**Refugee Rights Turkey**

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You can access all of our information booklets and videos for refugees and asylum seekers in Turkey via the Publications section at our official website:

**<https://www.mhd.org.tr>**

Or via our new “Information Portal for Refugees in Turkey”,  
launched as of April 2019:

**<https://multecihaklari.info>**  
**<https://refugeerights.info>**