

▶ **Your entitlements  
shall be paid!**

Useful Information for Domestic Workers

# YOUR ENTITLEMENTS SHALL BE PAID!

LET'S TAKE ACTION  
FOR FURTHER INFORMATION,  
CONSULTATION AND  
COOPERATION!



The legislation governing labour relations in Turkey includes various provisions to safeguard the rights and interests of domestic workers.<sup>1</sup> It is critical that such provisions are known in order to promote more and better jobs for domestic workers.

What is the minimum payment I should receive?



A domestic worker must be paid **at least the minimum wage**.

Should I Be Insured? **10+**

If you work for ten or more days:

- The mandatory insurance premiums for domestic workers who work for 10 days per month or more for the same worker must be paid by the employer. The payment of such premiums ensures that you may enjoy the rights related to **Universal Health Insurance and Pension**.
- Domestic workers whose mandatory insurance premiums for 10 or more days per month have been paid are not obligated to consummate their Universal Health Insurance premiums for any work for less than 30 days.
- Domestic workers may be **covered under domestic services** even if they perform their child, elderly or private care duties at their own home, in a hospital or a nursing home.
- When receiving pension, if you work for 10 days or more for the same employer, you may continue to receive your pension even if your insurance premiums have been paid.<sup>2</sup>
- If you work for 10 days or more for the same employer, you may enjoy unemployment insurance benefits provided that you meet the requirements laid down in Law No. 4447 on Unemployment Insurance.

Should I Be Insured?

**10-**

If you work for less than ten days:

- A domestic worker may benefit from the Work Accidents and Occupational Diseases Insurance coverage even if s/he works for one day for the same employer.
- The pensions, spouse-related health benefits or father-related orphan's pensions and health benefits of domestic workers who work for less than 10 days per month for the same employer cannot be cut off even if an insurance declaration has been issued on work accidents and occupational diseases.
- If you work for less than 10 days per month for the same employer, you may pay your pension and universal health insurance premiums yourself. In order for you to make the premium payment, your work accidents and occupational diseases insurance premiums must be stated by your employer for at least 1 day for the relevant month.
- For 2022, based on the lower limit for daily earnings, the monthly voluntary premium amount payable for a domestic worker who works for less than 10 days per month for the same employer is:

$$116,80 \times 30 \times \%32,5 = 1.162,30 \text{ TRY.}$$

Am I Entitled to Paid Leave?

- Same as other workers, domestic workers are entitled to weekly holidays with pay.
- A domestic worker who has worked for at least one year for the same employer is entitled to two weeks of paid annual leave, at the least.<sup>3</sup>

What Happens If I Work Overtime?



- If you have done overtime work exceeding the normal working hours, you should receive at least fifty percent more of normal pay for your overtime work.<sup>4</sup>

Am I Entitled to Maternal Leave?



- With regard to work arrangements during maternity or breast-feeding leave, domestic workers may enjoy the relevant rights laid down in the Labour Law.

Am I Entitled to Compensation?

- Where the employer lays off a domestic worker by abusing the right to terminate (e.g., if you have been laid off for reporting your employer for uninsured labour), the domestic worker shall be entitled to compensation in an amount that is three times the pay set out for the termination notice period.<sup>5</sup>
- In the event of the employer's death in a labour relation based on the employer's personality (e.g., if you have suddenly become unemployed due to the death of your employer for whom you care or at whose home you work), you shall be entitled to claim a fair compensation from your employers' next of kin.<sup>6</sup>

What If I Have an Accident in the House Where I Work?



- After suffering a work accident and receiving medical attention in a health facility, you or your relatives must have the incident recorded as a work accident or make sure it has been recorded as such.
- Under the insurance for work accident and occupational disease, allowance for temporary inability to work or benefit for permanent inability to work shall be paid; where a domestic worker dies of work accident, his/her surviving beneficiaries shall be paid death benefit, marriage pay and funeral pay.
- If you work 10 days or longer a month for the same employer, and have a work accident, the provisions applicable to insureds subject to 4/a shall apply. Accordingly, there is no minimum threshold for the number of premium-paid days for you to be eligible for the benefits from the insurance for work accident and occupational disease.
- If you work less than 10 days a month for the same employer, it is necessary that your insurance registration has been made at least 10 days prior to the accident, your insured status has not expired and premiums have been paid.

### Through Which Institutions Can I Find Work?

- Domestic workers may register with the ISKUR system through <https://esube.iskur.gov.tr/> to apply to vacant job postings for domestic services on <https://esube.iskur.gov.tr/Istihdam/AcikIstihdamAra.aspx>
- If you have found a job through Private Employment Agencies (PEAs), the employer must provide the domestic worker with a copy of the contracts signed between the domestic worker and the PEA.
- Private employment agencies cannot demand any interest or handling fees from you for intermediary activities.<sup>8</sup> All charges in this context shall be demanded from the employer; otherwise, any contract executed between the agency and the employer shall become null and void.
- Any contract that obliges you to engage in informal work, union membership or non-membership or receive a pay below the minimum wage shall be null and void.



### APPLICATIONS



- 1 Insurance for domestic workers is governed under Supplementary Article 9 of Law No. 5510 on Social Insurance and Universal Health Insurance; their various rights and obligations regarding labour relations, as laid down in this guide, are governed by Articles 393 to 447 under the section of the Turkish Code of Obligations No. 6098 concerning labour contracts. Please examine the relevant articles of the said laws for further information on the subject.
- 2 When issuing a workplace declaration for retired insurance holders on e-Government portal, the **Insurance Code** listed under **Insurance Details** should be marked as **Social Security Support Premium**. Other insurance holders should mark the **Supp. Art. 9 - Long Term Over 10 Days** option in this section.
- 3 Domestic workers below 18 or over 50 years of age are entitled to at least 3 weeks of paid annual leave.
- 4 Overtime refers to work that exceeds 45 hours per week.
- 5 The notice period mentioned herein is two weeks for workers whose period of service has lasted up to one year; four weeks for those whose period of service has lasted from one to five years, and six weeks for those whose period of service has lasted over five years.
- 6 The compensation mentioned herein should be considered for the entitlements which the domestic worker shall become deprived of due to premature termination of employment due to the death of the employer.
- 7 In the event that girls whose incomes or salaries must be cut off due to marriage get married or file a request, they shall receive a one-off prepayment in the form of marriage benefits, in an amount equal to their two-year salary or income.
- 8 PEAs may only charge a fee from professional athletes, sports coaches, trainers, models, photo models and professional artists as well as general managers or equivalent or higher level executives.



### May I become a Union Member?

- You may join the unions organized in the field of domestic services in order to safeguard and advance your rights and interests.

## Unionization is your constitutional right.

### Where Can I Communicate My Complaints Regarding My Working Conditions?

- Domestic workers who are employed without insurance can communicate their complaints by calling the ALO 170 Hotline. They can also apply to the Provincial Directorate of Social Security Institution or SGK centres.
- Domestic workers can call the ALO 170 hotline for any issues or questions related to their working life and file a report or complaint with CIMER (Turkish Presidency Communication Centre) through <https://www.cimer.gov.tr>

ALO 170

