

Termination of Employment in Turkey

Both the employees and employers in Turkey are entitled to terminate employment contracts by following certain minimum notification periods, depending upon the length of the service of employees, without indicating any reason. Any party that fails to fulfill the notification obligation should pay compensation (ie, notification payment or lieu of notice, equivalent to the wages corresponding to the notification period).



Notification Periods

Length of the Service of Employees

Two weeks	Less than six months
Four weeks	Six to 18 months
Six weeks	18 months to three years
Eight weeks	More than three years

As per the Labour Law, in cases where an employee contract is terminated with notification by the employer (other than cases an employee contract is terminated after at least one year for reasons which are incompatible with morals and goodwill and similar circumstances) the employer pays the employee a severance payment at the rate of 30 days' wages for each full year as of the date of the employment.

The employer's right to terminate the employment contract for just cause such as serious misconduct or malicious or immoral behavior of the employee is reserved by the law. Either employees or employers can terminate the employment relationship without having to comply with the legal notice periods. A just cause gives the parties the right to effect immediate termination without a severance payment.

The notice of the termination should be given by employers in written form, including the reason for the termination which must be specified in clear and precise terms. The employment of an employee engaged under a contract with indefinite term should not be terminated for reasons related to the employee's conduct or performance before he is provided with the opportunity to defend himself against the allegations.

Where the length of the service of an employee is at least six months and there are at least 30 employees working at the workplace, then an employer is obligated to provide a valid reason either relating to the efficiency, behavior of the employee or the requirements of the enterprise, workplace or the work in order to terminate the contract. Otherwise, under the Turkish Labour Code, employees have the right to sue the employer for the reinstatement to work.

In case of collective payoff the employer must inform the names and qualifications of employees to the relevant Labour Office along with a reason for their dismissal at least one month following the date of dismissal.

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