

EMPLOYMENT OF FOREIGNERS

(I) General Information Regarding Work Permits

As a general rule, foreigners must obtain a work permit before starting work in Turkey. Obtaining a work permit for foreigners in Turkey is subject to the permission of the Ministry of Labour and Social Security (the “**Ministry**”), under the **International Work Force Law** (the “**Law**”). However, bilateral or multilateral international agreements may provide an exception to this obligation.

There are four types of work permits under the Law, which are (i) Definite Term Work Permit; (ii) Indefinite Term Work Permit; (iii) Independent Work Permit; and (iv) Exceptional Work Permit.

Definite term work permits are granted to foreign employees who have a specific occupation and will be employed in a specific enterprise or workplace for a term of one year. At the end of that one-year period, provided that the foreign employee would work in the same workplace and in the same profession, the work permit may be extended for additional two years. At the end of the first three-year term, another three-year work permit may be granted to a foreign employee who would work in the same profession, but with any employer.

Indefinite term work permits are granted for an indefinite time period to foreigners who have resided in Turkey uninterruptedly for at least eight years or have had a valid work permit for a total of six years.

Independent work permits are granted to the foreigners who intend to establish their own businesses and have resided in Turkey legitimately for an uninterrupted period of at least five years.

Exceptional work permits are issued to foreigners married to Turkish citizens and live in Turkey.

(II) Work Permit Application Process

Work permit applications of foreign employees may be filed either with (i) the relevant Turkish embassy/consulate in the country where the applicant permanently resides or has a citizenship; or directly (ii) the Ministry.

A direct application to the Ministry can only be made by a foreign employee (or his/her employer) who, as of the application date, holds a valid residence permit in Turkey for a minimum period of six months.



The Ministry examines the applications for work permits and, if all the documentation is complete, forwards the application file to the relevant authorities. Finally, the Ministry reaches a decision as to whether or not to accept the application in light of the evaluation of the relevant authorities. The business conditions in the relevant market, sectorial and economical changes regarding employment in Turkey and developments in the employment environment are among the issues considered by the Ministry in issuing work permit.

Neriman Pelit Demirkan

npelit@pelit.av.tr

www.pelit.av.tr