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WORKING HOUR DYNAMICS IN TURKEY



POST GRADUATE THESIS

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PREFACE

In this thesis, the historical development of the working hours around the world and Turkey and, the factors affecting working hours in Turkey were examined.

I have been working in the private sector for about 5 years and because of my busy work schedule be able to complete this study after a long time. So, I can say that apart from the concrete factors, many abstract factors affect working hours of employees. Of course, the factors that can be measured are discussed in this study. However, there is a different and tough world in reality rather than statistical figures.

I would therefore firstly like to thank my supervisors Assis. Prof. Dr. Sezgin Polat and Assis. Prof. Dr. Mustafa Ulus for their time, valuable input and support throughout the entire master period.

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ABBREVIATIONS

ECHR	: European Convention of Human Rights
ECSC	: European Coal and Steel Community
EEC	: European Economic Community
EU	: European Union
GSOEP	: German Socio-Economic Panel
HLFS	: Household Labour Force Surveys
ICCPR	: International Covenant on Civil and Political Rights
ICESCR	: International Covenant on Economic, Social and Cultural Rights
ILO	: International Labour Organization
ISCO	: International Standard Classification of Occupations
LFPR	: Labour Force Participation Rate
LFS	: Labour Force Survey
LIS	: Luxembourg Income Study
MTUS	: Multinational Time Use Study
NACE Rev.2	: Statistical Classification of Economic Activities in the European Community
NES	: New Earning Survey
NLSY	: National Longitudinal Survey of Youth
OECD	: Organisation for Economic Co-operation and Development
OLS	: Ordinary Least Squares
ORGs	: Outgoing Rotation Groups
Robust Std. Err.	: Robust Standard Error
Root MSE	: root mean squared error
SOEP	: German Socio-Economic Panel Study
TEEC	: Treaty establishing the European Economic Community
TURKSTAT	: Turkish Statistical Institute
UDHR	: Universal Declaration of Human Rights
UK	: United Kingdom
UR	: Unemployment Rate
US	: United States

LIST OF SYMBOLS

y	: Dependent Variable
α_i	: Independent Variables
β_0	: Intercept
β_i	: Regression coefficients
α_i^2	: Quadratic function of the independent variables
ε	: Error term
t	: t-statistic
R-squared	: Percent Of Variance Explained
Root MSE	: Root Mean Squared Error
$P> t $	: Statistical Significance Of The Estimated Coefficient
Prob > F	: F-test

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RÉSUMÉ

Depuis le début des années 1900, les heures de travail ont été un sujet d'attention. Des réglementations ont été élaborées pour améliorer les horaires de travail et les conditions de travail, dirigés par de nombreuses organisations, en particulier par l'Organisation internationale du travail (OIT). Pendant la période républicaine, les réformes qui ont commencé dans les dernières années de la période ottomane se sont poursuivies avec la constitution, la législation du travail et d'autres lois connexes et ont essayé de suivre la tendance dans le monde. Cette étude porte sur les réglementations légales concernant les heures de travail à travers le monde et en Turquie, les comparaisons statistiques et une analyse économétrique des facteurs affectant les heures de travail en Turquie.

Les réglementations légales sur le temps de travail ont en premier commencé avec la "Convention (n ° 1) sur la Durée du Travail (Industrie)" en 1919 par l'OIT. Ce contrat, qui prévoyait de réglementer le temps de travail selon le principe «8 heures par jour, 48 heures par semaine» pour les travailleurs de l'industrie, était suivi de "La Convention (n ° 30) sur la Durée du Travail (Commerce et Bureaux)" qui comprenait également des travailleurs dans d'autres secteurs. Ces contrats, qui ont été préparés en fonction des conditions de cette période, sont devenus insuffisants pour lutter contre le chômage après la grande dépression. Ainsi, une nouvelle tendance a commencé, embrassant la semaine de travail de 40 heures. 189 Conventions et 204 Recommandations ont été publiées depuis la création de l'OIT.

Le droit au travail, qui a commencé à être considéré comme un « droit de l'homme » dans les années qui ont suivi, a jeté les bases de nombreuses réglementations contraignant les pays à améliorer les conditions de travail et la durée du travail. Le travail forcé était interdit ; de nouveaux termes tels que le droit au repos, des conditions de travail sûres et saines, la protection et la réglementation des femmes et des enfants travailleurs, la sécurité sociale, des salaires équitables, des contrats de travail, etc. ont émergé.

Après un examen des réglementations juridiques mondiales, les limites légales entre les pays ont été examinées. Compte tenu de ces limites, on constate que la tendance la plus courante est de 40 heures par semaine. En outre, il y a des pays qui ont mis en œuvre moins de 40 heures par semaine (France, Belgique, Australie), ainsi que des pays où aucune limite légale n'a été fixée. Dans les pays en développement, on constate plus d'heures de travail que dans les pays développés. Outre les heures de travail hebdomadaires ; les limites telles que les heures de travail journalières, les heures de travail maximales par jour (avec heures supplémentaires), les heures supplémentaires et les frais, les congés payés annuels, etc. sont également comparées par pays.

Les heures de travail hebdomadaires habituelles moyennes pour les pays de l'OCDE ont été examinées selon les données de 2015 pour voir la situation réelle dans la pratique à la lumière de la législation ; On constate que les gens travaillent dans les limites légales des heures de travail hebdomadaires dans 33 pays, à l'exception de la Corée et de la Turquie. Cependant, lorsque l'on compare les heures de travail annuelles moyennes des mêmes pays, en tenant compte de facteurs tels que les changements des jours de congés payés annuels, les limites maximales hebdomadaires, les limites de surmenage, etc., il y a eu des baisses sur une base annuelle dans les pays ayant les heures de travail hebdomadaires les plus élevées.

Si l'on considère la durée hebdomadaire moyenne du travail dans les pays selon le sexe, on observe que les femmes dans tous les pays, sans exception, travaillent moins longtemps que les hommes. Des études réalisées sur ce sujet montrent que ; les femmes qui ont des responsabilités en tant que travailleuses domestiques, garderies, etc. sont inactives dans la plupart des pays ou préfèrent travailler à temps partiel. Outre la discrimination fondée sur le sexe, des facteurs tels que la structure culturelle, l'inadéquation de l'éducation, les conditions de travail négatives, etc., poussent également les femmes à quitter le marché du travail dans les pays en développement et sous-développés. Dans les pays développés, on constate que les femmes occupent la première place en ce qui concerne le travail à temps partiel. Parce que ; des réglementations rigoureuses sont en voie de développement pour améliorer les conditions de travail à temps partiel afin de réduire le taux de chômage dans ces pays et le travail à temps partiel est encouragé.

Selon le «Better Life Index», publié par l'OCDE, la Turquie semble avoir la plus forte proportion de la population travaillant plus de 50 heures par semaine. Elle est suivie par le Mexique, la Corée et le Japon.

Qu'en est-il de la situation en Turquie ? Quand on regarde l'évolution historique de la réglementation sur les heures de travail et les conditions de travail, on voit que les premières étapes ont été franchies à l'époque ottomane. Cependant, le fait que l'Empire ottoman soit à la traîne de la révolution industrielle et l'économie basée sur la terre et l'artisanat a rendu difficile de donner autant d'importance à ce domaine que dans d'autres pays. Les premières mesures ont été prises lors du Congrès économique d'Izmir à l'époque républicaine et le « droit au travail » a d'abord été inscrit dans la Constitution de 1924.

La Grande Dépression de 1929 a également affecté la Turquie et elle a décidé de remplacer sa dépendance économique vis-à-vis des pays étrangers par des demandes «d'étatisme ». Au cours de cette période, de nombreuses entreprises ont été créées sous la direction de l'État et de nouvelles opportunités d'emploi ont été créées.

En 1936, la loi sur le travail n ° 3008, qui était la première loi, est entrée en vigueur ; les sujets tels que les heures de travail, les heures supplémentaires, les primes, les salaires, les contrats, la santé et la sécurité au travail, l'importance protectrice pour les femmes et les enfants, le salaire minimum, la sécurité sociale, etc. était inscrits dedans. La durée du travail juridique hebdomadaire a été fixée à 48 heures.

Dans la période multipartite ; le Ministère du Travail, l'Institution d'Assurance Sociale, le Fonds de Retraite, les Tribunaux du Travail ont été créés et de nombreuses lois ont été promulguées. Avec la Constitution de 1961, des changements radicaux ont eu lieu dans les politiques du travail ; un certain nombre de nouveaux concepts tels

que l'égalité des salaires, le droit de former des syndicats, la convention collective, le droit de grève et le lock-out ont été introduits.

La loi sur le travail n ° 1475 a adopté les dispositions de la loi sur le travail n ° 931, promulguée en 1967, mais qui a ensuite été abolie, car contraire à la Constitution. La plus grande innovation en termes d'heures de travail est venue avec la loi n ° 1475; la période de travail légale hebdomadaire a été réduite à 45 heures. Des règlements sur les indemnités de départ ont également été pris.

Après le coup d'État des années 1980, les règlements concernant les relations de travail ont également été touchés, comme dans tous les domaines. La Loi constitutionnelle de 1961, qui «fonde» les droits de l'homme, a laissé sa place à la loi constitutionnelle de 1982 qui «respecte» les droits de l'homme. La fonctionnalité des syndicats a été sévèrement restreinte et les salaires ont commencé à diminuer progressivement.

La loi n ° 4857, toujours en vigueur, a été publiée en 2003. Tous les articles sauf l'article 14 qui régit les indemnités de départ de la loi. 1457 ont été abolis par cette loi. Parallèlement aux lois en Europe, de nouveaux concepts tels que « travail flexible », « travail temporaire », « travail partiel », « travail sur appel » ont été mis au point avec la loi n ° 4857. Les congés annuels payés ont été augmentés de deux jours et les congés de grossesse portés à 16 semaines.

Étant l'un des pays où le taux d'accidents mortels est le plus élevé, la loi sur la santé et la sécurité au travail a été promulguée en Turquie en 2012 ; Des obligations légales ont été imposées aux employeurs, aux travailleurs et aux lieux de travail.

Après l'examen des réglementations légales concernant les horaires de travail et les conditions de travail, les indicateurs statistiques sont analysés pour comprendre la situation actuelle du travail en Turquie. Lorsque nous comparons le taux d'activité des pays de l'OCDE, la Turquie se classe en avant dernier rang avec 51%. Cependant, depuis 2009, le taux de participation au marché du travail a augmenté ; le taux de chômage a diminué dans les années après les 14% enregistrés en 2009 et il a été observé à 10,3% en 2015 avec une augmentation de 0,04 par rapport à l'année précédente. Si nous comparons ces taux entre hommes et femmes ; La participation des femmes à la population active en Turquie représente un tiers de celle des hommes. La structure culturelle du pays, les lacunes dans les niveaux d'éducation de base et les compétences professionnelles des femmes, en particulier dans les zones rurales, les conditions de travail dangereuses sont les raisons fondamentales qui laissent les femmes hors du marché du travail et les force à ne faire que des travaux domestiques et de soins aux enfants, qui sont considérés comme la mission de base dont ils sont chargés.

Selon la répartition sectorielle du travail; Alors que la main-d'œuvre agricole connaît une baisse importante depuis le début des années 2000, le secteur des services a pris les devants avec 52%.

On s'aperçoit que; l'économie informelle est au niveau de 50 pour cent; La moitié de la population active travaille sans aucune sécurité sociale, et ce ratio est observé dans la tranche des 80-90% en particulier dans le secteur agricole.

Après un aperçu de la situation du travail en Turquie, des analyses statistiques ont été effectuées en utilisant les données des Enquêtes sur les Forces de Travail des Ménages (EFTM) de 2010-2015; les heures de travail et les facteurs qui les affectent ont été examinés en détail. D'après les données de 565.688 observations ; La période hebdomadaire de travail était considérée comme intensive à 40, 48 et 60 heures. Les hommes travaillent plus en Turquie, comme partout dans le monde. Cependant, le temps de travail moyen pour les femmes et les hommes est un graphique décroissant.

Selon la classification éducationnelle et professionnelle ; On constate que les personnes ayant un niveau d'éducation supérieur travaillent moins que les autres groupes et de la même manière, les groupes professionnels travaillent en moyenne moins de 40 heures par semaine. Les employés ayant des postes de direction (en particulier chez les hommes) travaillent quatre heures de moins en moyenne par rapport aux autres, mais cette différence n'est pas aussi marquée que dans la comparaison hommes femmes.

Enfin, au nom de l'examen des facteurs affectant les heures de travail ; les estimations de régression ont été faites avec la « méthode des moindres carrés ordinaires » en utilisant les données EFTM de 2010-2015. Cependant, il convient de noter que ; En raison du fait que notre modèle est le modèle de prévision de l'offre de main-d'œuvre, plusieurs corrélations entre les variables ont été négligées. En particulier, le « biais de sélection » est disponible en raison de la participation des femmes au marché du travail en Turquie.

En conséquence, alors que les salaires ont un effet positif sur les heures de travail, d'autres facteurs ont été découverts comme ayant un effet négatif sur les heures de travail régulières hebdomadaires.

ABSTRACT

Since the beginning of the 1900's, working hours have been a subject of attention. Regulations have been made to improve working hours and working conditions, led by many organizations, especially by International Labor Organization (ILO). In the Republican Period, the reform steps that have started in the last years of the Ottoman period continued with the constitution, labor laws and other related laws and tried to follow the trend in the world. This study deals with the legal regulations regarding working hours across the world and in Turkey, statistical comparisons and an econometrical analysis of the factors affecting the working hours in Turkey.

The legal regulations on working hours first started with the “The Hours of Work (Industry) Convention (No. 1) in 1919 by ILO. This contract which was prepared to regulate the working hours with the principle of "8 hours a day, 48 hours a week" for workers in industry, was followed by the “the Hours of Work (Commerce and Offices) Convention (No. 30)” which also included workers in other sectors. These contracts, which were prepared regarding the conditions of that period, became to be insufficient to fight with unemployment after the great depression. So, a new trend has begun, embracing the 40-hour working week. 189 Conventions and 204 Recommendations have been published since the foundation of the ILO.

The right to work, which began to be seen as a "human right" in the following years, laid the groundwork for many regulations binding countries to improve working conditions and hours of work. Forced labor was prohibited; new terms like the right to rest, safe and healthy working conditions, protection and regulations for women and child workers, social security, fair wages, employment contracts etc. have emerged.

After a review of world-wide legal regulations, legal limits across countries have been examined. Considering these limits, it is seen that the most common trend is 40-hour a week. In addition, there are countries which implemented less than 40-hour a week (France, Belgium, Australia), as well as countries where no legal limit was set. In developing countries, more working hours have been determined than in developed countries. Besides the weekly working hours; the limits like daily working hours, maximum working hours per day (with overtime), overtime periods and fees, paid annual leave days, etc. are also compared on a country basis.

The average usual weekly hours of work on behalf of the OECD countries have been examined according to data from 2015 to see the real situation in the light of the legislation in practice; it is seen that people are working under the legal limits of weekly working hours in 33 countries apart from Korea and Turkey. However, when the average annual working hours of the same countries are compared, taking into consideration such factors as the changes in annual paid leave days, weekly maximum limits, overwork limits etc., there were some decreases on an annual basis in the countries which have highest weekly hours of work.

When we look at the average weekly working hours in countries on a gender basis, it is observed that women in all the countries, without any exception, are working shorter than men. Studies carried out on this subject show that; women who have responsibilities as domestic works, child care, etc. are either out of labor force in most countries or prefer to work part-time. Apart from gender discrimination, factors such as cultural structure, inadequacy of education, negative working conditions, etc. also push women out of the labor market in developing and underdeveloped countries. In the developed countries, it is seen that the women are in the leading position regarding part-time work. Because; serious regulations are being made to improve the part-time working conditions in order to reduce the unemployment rate in these countries and, part-time work is encouraged.

According to the "Better Life Index", published by the OECD, Turkey seems to be have the highest proportion of population working more than 50 hours per week. Turkey. It is followed by Mexico, Kore and Japan.

What about the situation in Turkey? When we look at the historical development of regulations on working hours and working conditions, it is seen that the first steps were taken in the Ottoman period. However, the fact that the Ottoman Empire lagged behind the industrial revolution and, the economy based on land and craft, has made it difficult to give importance to that fields as much as it is in other countries. The first steps were taken at the İzmir Economy Congress in the Republican Period and, "right to work" took place in the 1924 Constitution, firstly.

Great Depression of 1929 has affected Turkey as well and, it has decided to replace its economic dependency on foreign countries with "statism" applications. In this period, many enterprises were established under the leadership of the state and new job opportunities were created.

In 1936, Labor Law No. 3008, which was the first law, entered into force; the topics such as working hours, overtime work, premiums, wages, contracts, occupational health and safety, protective importance for women and children, minimum wage, social security etc. took place in it. The duration of the weekly legal work was determined as 48 hours.

In the Multi-Party Period; the Ministry of Labour, the Social Insurance Institution, the Retirement Fund, the Labour Courts were established and many laws were enacted. With the 1961 Constitution, radical changes took place in labour policies; a number of new concepts such as wage equality, the right to form trade unions, the collective bargaining agreement, the right to strike and lockout have been introduced.

The Labour Act No. 1475 adopted the provisions of the Labour Act No. 931, which was enacted in 1967 but then was abolished since it was contrary to the constitution. The greatest innovation in terms of working hours came with the act No.1475; the weekly legal working period has been reduced to 45 hours. Regulations on severance payment have also been made.

After the 1980s coup d'état, regulations regarding labour relations were also affected as in the case of all fields. The 1961 Constitution Act, which "bases" human rights, left its place to the 1982 Constitution Act which "respects" human rights. The

functionality of unions has been severely restricted, and wages have begun to decline gradually.

Act No. 4857, still in force, was published in 2003. All items except Article 14 which regulates the severance payments of Act No. 1457 have been abolished by this law. Parallel to the laws in Europe, new concepts such as "flexible working", "temporary work", "partial work", "working on call" have come up with Act No. 4857. Paid annual leave periods have been increased by 2 days and pregnancy leave has been increased to 16 weeks.

As being one of the countries with the highest rate of fatal accidents, in 2012 Occupational Health and Safety Act were enacted in Turkey; legal obligations have been imposed on employers, workers and workplaces.

After the examination of the legal regulations regarding the working hours and working conditions, the statistical indicators are analysed to understand the current situation of labour in Turkey. When we compare the labor force participation rate among OECD countries, Turkey ranks second to last row with 51%. However, since 2009, there has been an increase in the labor force participation rate; the unemployment rate declined in the years after the 14% recorded in 2009 and it was observed as 10.3% in 2015 with an increase of 0.04 compared to the previous year. If we compare these rates on a male-female basis; Turkey's female labor force participation is one-third of the men's. The cultural structure of the country, deficiencies in the basic education levels and professional skills of women especially in rural areas, unsafety working conditions are the basic reasons that leave women out of the labor market and, force them to make only domestic works and child care, which are seen to be basic mission they are charged with.

According to the sectoral distribution of labour; while the agricultural labor force has been experiencing a serious decline since the beginning of the 2000s, service sector has taken the lead with 52 per cent.

It is seen that; informal economy is at the 50 per cent level; half of the working population works without any social security, and this ratio is observed to be in the 80-90 band especially in the agricultural sector.

After an overview of the labour situation in Turkey, statistical analyses were performed by using Household Labor Force Surveys (HLFS) data from 2010-2015; working hours and the factors affecting them were examined in detail. According to the data of 565,688 observations; weekly working period was seen to be intensive at 40, 48 and 60 hours. Men are working more in Turkey, as across the world. However, the average working time for both women and men are drawing a descending graph.

According to the educational and occupational classification; it is seen that people with higher education are working less than other groups and similarly the professional groups are working less than 40 hours per week on average. Employees with executive positions (especially in males) are working four hours less in average compared to others, but this difference is not as noticeable as in males in the female comparison.

Finally, on behalf of examining the factors affecting working hours; regression estimations were made with the "ordinary least squares method" using HLFS data from

2010-2015. However, it should be noted that; because of the fact that our model is the labor supply forecasting model, multiple correlations between variables have been neglected. Especially "selection bias" is available because of the women's labour participation in Turkey.

As a result, while wages has a positive effect on working hours, other factors were found to have a negative effect on weekly regular working hours.



ÖZET

1900’lü yılların başından bu yana çalışma saatleri dikkatleri üzerine çeken bir konu olmuştur. Başta ILO olmak üzere pek çok kuruluşun önderliğinde çalışma saatleri ve çalışma koşullarını iyileştirmeye yönelik düzenlemeler yapılmıştır. Türkiye’de de Osmanlı Dönemi’nin son yıllarında başlayan iyileştirme adımları Cumhuriyet Dönemi’nde anayasa, iş kanunları ve diğer ilgili kanunlarla devam etmiş, dünyadaki trend izlenmeye çalışılmıştır. Söz konusu çalışma, Dünya çapında ve Türkiye’de yapılan yasal düzenlemelerin, istatistiksel karşılaştırmaları ve Türkiye’de çalışma saatlerine etki eden faktörlerin ekonometrik analizini ele almaktadır.

Çalışma saatleri konusundaki yasal düzenlemeler, ilk olarak Uluslararası İşgücü Örgütü (ILO) tarafından 1919 yılında “Çalışma Saatleri Sözleşmesi (Sanayi)” ile başlamıştır. “Günde 8 saat, haftada 48 saat” prensibi ile sadece sanayi alanında çalışan işçilerin çalışma saatlerini düzenlemeye yönelik olarak hazırlanan bu sözleşmeyi, diğer sektörlerdeki işçileri de kapsamına alan “Çalışma Saatleri Sözleşmesi (Ticaret ve Ofisler), No.30 (1933) izlemiştir. O dönemin koşullarına göre hazırlanmış olan bu sözleşmeler, büyük buhran sonrası yaşanan işsizlikle savaşmada yetersiz kalmış; haftalık 40 saatlik çalışma süresini benimseyen yeni trend başlamıştır. ILO’nun kuruluşundan itibaren 189 Sözleşme ve 204 Tavsiye Kararı yayınlanmıştır.

Sonraki yıllarda “insan hakkı” olarak görülmeye başlanan çalışma hakkı, işçilerin çalışma şartlarının ve saatlerinin iyileştirilmesi konusunda ülkeleri bağlayıcı pek çok düzenlemenin yapılmasına zemin hazırlamıştır. Zorla çalıştırma yasaklanmış olup; cinsiyet ayrımcılığının ortadan kaldırılması, fazla çalışmanın sınırlandırılması, sendika kurma-üyesi olma hakkı, dinlenme hakkı, güvenli ve sağlıklı çalışma koşulları, kadın ve çocuk işçilere yönelik koruma ve düzenlemeler, sosyal güvenlik, adil ücret, iş sözleşmesi vb. kavramlar ortaya çıkmıştır.

Dünya çapında yapılan yasal düzenlemelerin incelenmesinin ardından, ülke bazındaki yasal limitler incelenmiştir. Bu limitlere bakıldığında haftalık 40-saat uygulamasının en yaygın uygulama olduğu görülmüştür. Bunun yanında 40 saatten az haftalık çalışma saati belirlemiş olan ülkeler (Fransa, Belçika, Avustralya) olduğu gibi, herhangi bir yasal limitin belirlenmediği ülkeler de bulunmaktadır. Gelişmekte olan ülkelere, gelişmiş ülkelere göre daha fazla çalışma saati süresi belirlendiği görülmüştür. Haftalık çalışma saatlerinin yanında; günlük çalışma süreleri, günlük maksimum çalışma süreleri (fazla çalışma ile birlikte), fazla çalışma süreleri ve ücretleri, ücretli yıllık izin günleri vb. limitler de ülkeler bazında karşılaştırılmıştır.

Yapılan yasal düzenlemelerin ışığında uygulamadaki durumu görmek adına OECD ülkelerindeki ortalama olağan haftalık çalışma saatleri 2015 yılı verilerine göre incelenmiş, Kore ve Türkiye dışındaki 33 ülkenin yasal limitlerinin altında çalıştıkları görülmüştür. Ancak yıllık ücretli izin günlerindeki değişiklikler, haftalık maksimum limitler, fazla çalışma limitleri gibi etkenler göz önünde bulundurularak aynı ülkelerin

ortalama yıllık çalışma saatleri karşılaştırıldığında; haftalık çalışma süresi bazında en yüksek saate sahip olan ülkelerde, yıllık bazda azalışlar gözlemlenmiştir.

Ülkelerdeki ortalama haftalık çalışma saatlerine cinsiyet bazında baktığımızda, istinasız bütün ülkelerde kadınların erkeklerden daha kısa çalıştığı göze çarpmaktadır. Bu konuda yapılan çalışmalar göstermektedir ki; ev işleri, çocuk bakımı vb. sorumlulukları olan kadınlar, çoğu ülkede ya işgücü dışında kalmakta ya da yarı zamanlı işleri tercih etmektedir. Cinsiyet ayrımı dışında gelişmekte olan ve az gelişmiş ülkelerde kültürel yapı, eğitim yetersizliği, olumsuz çalışma koşulları vb. faktörler de kadınları işgücü piyasasının dışına itmektedir. Gelişmiş ülkelerde ise yarı zamanlı çalışma oranlarına bakıldığında, kadınların lider konumunda olduğu görülmektedir. Bunun nedeni; bu ülkelerde işsizlik oranının azaltılması için yarı zamanlı çalışma koşullarının iyileştirilmesi konusunda ciddi düzenlemeler yapılmakta ve yarı zamanlı çalışma teşvik edilmektedir.

OECD tarafından yayınlanan “Better Life Index”e baktığımızda, haftada 50 saatten fazla çalışanların oranının en yüksek olduğu ülke Türkiye olarak karşımıza çıkmaktadır. Sıralamada Türkiye’yi Meksika, Japonya ve Kore izlemektedir.

Peki Türkiye’de durum nedir? Çalışma saatleri ve çalışma koşulları konusunda yapılan çalışmaların tarihsel gelişime baktığımızda, ilk adımların Osmanlı Dönemi’nde atıldığı görülmüştür. Ancak Osmanlı’nın sanayi devriminin gerisinde kalması, toprağa ve zanaata dayalı ekonomisi bu konudaki çalışmalara diğer ülkelerde olduğu kadar önem verilmesini güçleştirmiştir. Cumhuriyet Dönemi’nde ilk adımlar İzmir İktisat Kongresi’nde atılmış ve ilk olarak 1924 Anayasası’nda “çalışma hakkı” yer almıştır.

1929 Büyük Buhran’ı Türkiye’yi de etkilemiş, dışa bağımlı ekonomik yapısını “devletçilik” uygulamaları ile değiştirme kararı almıştır. Bu dönemde devlet önderliğinde pek çok işletme kurulmuş ve yeni iş imkanları yaratılmıştır.

1936 yılında ilk kanunu olan 3008 sayılı İş Kanunu yürürlüğe girmiş; çalışma saatleri, fazla çalışma, fazla mesai ücreti, ücretler, sözleşmeler, iş sağlığı ve güvenliği, kadın ve çocuk işleri koruyucu önemler, asgari ücret, sosyal güvence gibi pek çok konuda düzenlemelere yer verilmiştir. Kanunda haftalık yasal çalışma süresi 48 saat olarak belirlenmiştir.

Çok Partili Dönem’de Çalışma Bakanlığı, Sosyal Sigortalar Kurumu, Emekli Sandığı, İş Mahkemeleri gibi kuruluşlar kurulmuş ve pek çok kanun yürürlüğe girmiştir. 1961 Anayasası ile işgücü politikalarında radikal değişimler yaşanmış; ücret eşitliği, sendika kurma hakkı, toplu iş sözleşmesi, grev ve lokavt hakkı gibi pek çok yeni kavrama yer verilmiştir.

1475 Sayılı İş Kanunu, 1967 yılında yürürlüğe giren ancak anayasaya aykırı bulunduğu için tekrar yürürlükten kaldırılan 931 Sayılı İş Kanunu’nun hükümlerini benimsemiştir. Çalışma saatleri konusundaki en büyük yenilik de 1475 sayılı kanun ile gelmiştir; haftalık yasal çalışma süresi 45 saate indirilmiştir. Kıdem tazminatı uygulamaları konusunda düzenlemeler yapılmıştır.

1980 darbesinden sonra her alanda olduğu gibi iş kanunu ve ilgili düzenlemeler de nasibini almıştır. İnsan haklarını “temel” alan 1961 Anayasası yerini insan haklarına

“saygılı” bir anayasa olan 1982 Anayasası’na bırakmıştır. Sendikaların işlevselliği büyük ölçüde kısıtlanmış, ücretler gitgide düşürülmeye başlanmıştır.

2003’te şu an hala yürürlükte olan 4857 Sayılı İş Kanunu yayınlanmıştır. 1457 Sayılı kanunun kıdem tazminatlarını düzenleyen 14. Maddesi hariç bütün maddeleri bu kanun ile yürürlükten kaldırılmıştır. 4857 Sayılı Kanun ile Avrupa’daki kanunlara paralel olarak “esnek çalışma”, “geçici çalışma”, “kısmi çalışma”, “çağrı üzerine çalışma” gibi yeni kavramlar gelmiştir. Ücretli yıllık izin süreleri 2şer gün arttırılmış, hamilelik izni 16 haftaya çıkarılmıştır.

Ölümcül kaza oranlarının en yüksek olduğu ülkelerin başında gelen Türkiye’de 2012 yılında İş Sağlığı ve Güvenliği Kanunu çıkarılmış; işyerleri, işverenler ve işçilere yasal yükümlülükler getirilmiştir.

Çalışma saatleri ve çalışma koşullarının düzenlenmesi adına çıkarılan kanun, yönetmelik vb. detaylı olarak incelenmesinin ardından Türkiye’de işgücünün mevcut durumuna bakmak adına istatistiksel göstergeler incelenmiştir. Buna göre; OECD ülkeleri arasında işgücüne katılım oranlarını karşılaştırdığımızda, Türkiye %51 ile sondan ikinci sırada yer almaktadır. Ancak yılar içindeki gelişimine bakacak olursak 2009 yılından bu yana işgücüne katılım oranında artış gözlemlenmekte olup; işsizlik oranı 2009 yılında kaydedilen %14’lük orandan sonra seneler içinde düşüşe geçmiş ve 2015 yılında bir önceki yıla göre 0,04’lük artışla %10,3 olarak izlenmiştir. Bu oranları kadın-erkek bazında karşılaştıracak olursak; Türkiye’de kadın işgücünün erkeklerin 1/3’ü kadar olduğu görülmektedir. Ülkenin kültürel yapısı, özellikle kırsal kesimde kadınların temel eğitim düzeylerindeki ve mesleki becerilerindeki eksiklikler, güvenli olmayan çalışma koşulları; kadınları, kendilerine yüklenen temel misyon olan ev işleri ve çocuk bakımı ile yetinmek durumunda bırakıp işgücü piyasasının dışına itmektedir.

İşgücünün sektörel dağılıma baktığımızda ise; 2000’li yılların başından bu yana tarımsal işgücünün ciddi oranda düşüş yaşadığı, bunun yanında, hizmet sektörünün %52’lik oranla liderliği ele aldığı görülmektedir.

Türkiye’de kayıt dışı ekonominin %50 seviyesinde ilerlediği; çalışan kesimin yarısının herhangi bir sosyal güvence olamadan çalıştığı, bu oranın özellikle tarım sektöründe 80-90 bandında seyrettiği gözlemlenmektedir.

Türkiye’deki işgücü durumuna genel bir bakıştan sonra 2010-2015 yıllarına ait hane halkı işgücü anketleri (HIA) verileri kullanılarak analizler yapılmış; çalışma saatleri ve etkileyen faktörler detaylı olarak incelenmiştir. Toplamda 565.688 kişiye ait verilere bakıldığında; haftalık çalışma süresinin 40, 48 ve 60 saatlerde yoğunlaştığı görülmüştür. Dünya genelinde olduğu gibi Türkiye’de de erkekler daha fazla çalışmaktadır, ancak hem erkeklerde hem kadınlarda ortalama çalışma süreleri azalan bir grafik çizmektedir.

Toplam rakamlarda ortalamada evli kişilerin bekarlara oranla daha az çalıştığı dikkati çekmektedir. Konu ile ilgili yapılan literatür araştırmasına göre diğer ülkelerde tam tersi bir sonuç karşımıza çıkmaktadır. Bunun nedeni olarak; Türkiye’de ücretlerin yurt dışında olduğu gibi çalışılan saat bazında değil, aylık bazda verilmesi düşünülmektedir.

Eğitim ve meslek sınıflandırmasına baktığımızda ise; yükseköğretim gören kişilerin diğer gruplara oranla daha az çalıştığı, benzer şekilde profesyonel meslek

gruplarının da haftalık ortalama 40 saatin altında çalıştığı görülmektedir. Yönetici pozisyonunda çalışanların (özellikle erkeklerde) diğerlerine göre ortalamada yaklaşık 4 saat daha az çalıştığı, kadınlarda ise farkın erkeklerde olduğu kadar dikkat çekici olmadığı göze çarpmaktadır.

Son olarak çalışma saatlerini etkileyen faktörlerin incelenmesi adına; 2010-2015 yıllarına ait HIA verileri kullanılarak “En küçük kareler yöntemi” ile regresyon tahminleri yapılmıştır. Ancak, özellikle belirtmelidir ki; modelimiz işgücü arzı tahmini modeli olduğu için değişkenler arası çoklu bağıntılar ihmal edilmiştir. Özellikle Türkiye’deki kadın işgücünü göz önüne aldığımızda “seçilim önyargısı” mevcuttur.

Sonuç olarak ücretlerin çalışma saatleri üzerinde pozitif etkisi varken, diğer faktörlerin haftalık olağan çalışma saatleri üzerinde negatif etkisinin olduğu görülmüştür.



1. INTRODUCTION

Working hours have been one of the most debated topics in economics since the beginning of the Industrial Revolution. The general concept was based on the perception that non-working hours were seen simply as ‘lost’ time, and demand for production prevailed against the workers’ lives. The logical result of this perspective was the extension of working hours, often to the physical maximum (Lee, McCann, & Messenger, 2007).

As noted by Marx, the class of capital’s answer to the question of “*how long a working day can be extended*” is “*A working day is the rest of the time of 24-hour full day after removal of the necessary rest periods of workers’ to force back to work* (Marx, 2004)”. From the 14th century to 19th century, millions of workers including children were forced to work between 12 to 20 hours a day. They were abandoned to the free rules of a market economy with the lack of social security against strong capital owners. However, the working class with the strong support of the trade unions began to struggle against the long working hours, and they successfully drew attention to the ‘social’ costs of long hours. As a result, the negative consequences of working long hours on health and productivity were slowly recognized and working hours have begun to be progressively reduced since the 1830s, notably through legal interventions.

Despite the fact that the primary objective of the reduction of working hours was the social protection of workers as a human right, it has been seen as a tool to regulate the economy and to fight with unemployment. Drèze stressed that ‘reductions have played an important role in reconciling full employment with productivity gains’ (Drèze, 1985). Hicks described the reduction of working time as a means of avoiding ‘secular unemployment’ (Hicks, 1946). Henry Ford, the founder of the Ford Motor Company, said that “*Where people work longest and with least leisure, they buy the fewest goods... Business is the exchange of goods. Goods are bought only as they meet*

needs. Needs are filled only as they are felt. They make themselves felt largely in leisure hours. The man who worked fifteen and sixteen hours a day desired only a corner to be in and a hunk of food. He had no time to cultivate new needs. No industry could ever be built up by filling his needs because he had none but the most primitive.” in an interview (Ford, 1926). So it is not only a humanitarian but also an economic thinking in the light of “for the more consume, the more product”. More recently, the British think tank New Economics Foundation has conceived WTR as also an environmental policy and recommended a twenty-one-hour week, arguing that less work would produce a concurrent reduction in global warming (Coote, Simms, and Franklin 2010).

The reduction of working hours has been taking time. It was first started with the laws for children’s and women’s working hours in European countries¹ in the mid-nineteenth century. At the beginning of the World War I, these reductions began to be made for adults and they were slowly reduced to ten per day widely in Europe. So, at the end of the war, the progress towards the eight-hour day was accelerated by organizations of workers. In the United States, General Business Congress was organized in Baltimore for the purpose of “the eight-hour day”, on August 6, 1866. On June 26, 1868, The United States Congress ratified an act about the eight-hour day for the public institutions and organizations. American Federation of Labor and Congress of Industrial Organizations struggled for the private sector to be included in this act. On May 1, 1886, about 350 thousand workers attended the strikes and demonstrations for the “8-hour day”. *“The slogan of the U.S. labour unions by the end of the 19th century, “eight hours for work, eight hours for rest, eight hours for what we will” (Cross, 1997), was equally paradigmatic for European unions: It implied that 8-hour day should provide the male earner with sufficient family income and spare time, while women, being liberated from the toil of paid labour, could devote their time to the children and the household (Lehndorff, 2014).”*

In 1919, the concept of “eight-hour a day” took its place in the universal legal regulations which were conducted by ILO. Convention No.1 and Convention No.30 were the first steps of the struggle. They were followed by lots of conventions and recommendations. Apart from ILO, working hours begun to be seen as a “human right” in Europe. The “international bill of rights,” consisting of the Universal Declaration of

¹ The Factories Act of 1844 in the UK

Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) were published. Also, European Convention of Human Rights (ECHR), Treaty of Paris, Treaty of Rome and European Social Charter included regulations on working conditions.

When we look at the Turkey's history, the first written document that regulated the protection of the workers' health, working conditions, wages, and employer-employee relations was "*Dilaver Paşa Nizamnamesi*" in Ottoman period. In Republic period, many acts regulating working conditions like working hours, annual and weekly holidays, social security, wages, job security etc. were published. The first Labour Act (No.3008) was published in 1936. After that 2 more Labour Acts were published and finally Labour Act No. 4857 (published in 2003) is in force.

Working hours are regulated by many types of legal regulations all over the world. What about the practice? Which factors are affecting our working hours apart from law?

In this study, the dynamics of working hours in Turkey was examined. Working hours trend in Turkey is analysed by using Ordinary Least Square (OLS) approach with the HLFS (Household Labour Force Surveys) data from 2010-2015.

In Section.1, historical background of working hours around the world was briefly described. In Section.2, limits in international laws were compared and descriptive statistics regarding these limits were shown. In Section.3, the history of working hours regulations was described starting from the Ottoman period. Then, in Section.4, a macro view of labour in Turkey was drawn by statistics. After a literature analysis in Section.5, econometric analysis of the HLFS data from 2010-2015 was performed in Section.6.

2. HISTORICAL BACKGROUND AROUND THE WORLD

In this section, regulations regarding working hours around the world are described.

2.1. International Labour Organization (ILO)

Freedom of work and right to work began to be regulated in international terms with the establishment of the International Labor Organization (ILO) in 1919. Since 1919, it ensures the freedom of work and right to work in the most comprehensive manner both individually and collectively, constituting a system of protection and supervision to ensure compliance with the rules of the constitutional principles that member and state parties should take (Gülmez, 2014). So, the first international labour convention in 1919, the Hours of Work (Industry) Convention, 1919 (No. 1), which stipulates the principle of ‘eight hours a day and 48 hours a week’ was established by ILO.

2.1.1. Convention No.1²

The Hours of Work (Industry) Convention, 1919 (No. 1) entered into force on 13 June 1921 and it has been ratified by 47-member states (ILO, 2011). It applies to

² ILO, General Survey of the reports concerning the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), 2005

persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed.³ The Convention limits hours of work to eight a day and 48 a week in industrial undertakings in general,⁴ and to 56 hours in cases of processes which are required by reason of their nature to be carried on continuously by a succession of shifts.⁵ It also provides for the possibility of averaging hours of work over a period of time,⁶ as well as for permanent and temporary exceptions to the general standard.⁷ The Convention calls for regulations to be made after consultation with the organizations of employers and workers concerned to fix the maximum of additional hours in each instance, and specifies that the rate of pay for overtime shall not be less than one and one-quarter times the regular rate.⁸ Thus, from the conceptual point of view, Convention No.1 is that the combination of standards of the eight-hour day or 48-hour week contemplated by the Treaty of Versailles is to be embodied in national legislation in the form of a legal limitation of hours of work, which would be laid down by the legislature and enforced by the executive departments of the Government.

2.1.2. Convention No. 30⁹

Convention No. 30 entered into force on 29 August 1933 and, to date, it has been ratified by 27-member States (ILO, 2011).

While Convention No. 1 only covers *industrial* workers, the Hours of Work (Commerce and Offices) Convention (No. 30), adopted at the 14th Session of the International Labour Conference in 1930, applies the same principles of the 48-hour working week and the eight-hour working day to persons employed in commerce and

³ Article 2 of Convention No.1. The term “industrial undertaking” itself is defined in Article 1, paragraph 1, of the Convention.

⁴ Article 2 of Convention No. 1

⁵ Article 4 of Convention No. 1

⁶ Article 2, paragraph (c) of Convention No. 1

⁷ Article 6, paragraph 1, of Convention No. 1

⁸ Article 6, paragraph 2, of Convention No. 1

⁹ ILO, General Survey of the reports concerning the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), 2005

offices sectors.¹⁰ Convention No. 30 applies to persons employed in commercial or trading establishments, including postal, telegraph and telephone services, in the establishments and administrative services in which the persons employed are mainly engaged in office work, and in mixed commercial and industrial establishments, unless they are deemed to be industrial establishments.¹¹ The Convention limits the hours of work of the persons to whom it applies to 48 hours a week and eight hours a day. It allows certain flexibility in the arrangement of weekly hours of work, provided that the hours worked in a day do not exceed ten hours. It authorizes, under certain conditions, an increase in the hours worked in the day for the purpose of making up hours of work which have been lost in case of a general interruption of work due to local holidays, or accidents, or *force majeure*,¹² a matter which is not dealt with in Convention No. 1. The Convention also provides for the possibility of making permanent and temporary exceptions to the general standard.¹³

The objective of Convention No. 30 is to extend the hours of work standards prescribed by Convention No. 1 to all those persons not covered by Convention No. 1, with the exception of those employed in agriculture, maritime or inland navigation, fisheries and domestic service (Harrison & Sons, 1919). It was felt that the decisions taken at Washington for the benefit of industrial workers should be followed up and completed by decisions in the same form for the benefit of salaried employees, so that they also benefited from international guarantees for their protection which would have placed them on a footing of equality with their co-workers in industry.¹⁴

When Conventions Nos. 1 and 30 were adopted, they were related to the needs and conditions of their times. While international standards with respect to hours of work are required to provide effective protection for workers, the government reports and the information provided by the social partners reveal that Conventions Nos. 1 and 30 do not fully reflect modern realities in the regulation of working time. In fact, there are elements of the Conventions that are clearly outdated.

¹⁰ Article 3 of the Convention No. 30

¹¹ Article 1, paragraph 1, of Convention No. 30

¹² Article 5, paragraph 1, of Convention No. 30

¹³ Article 7 of Convention No. 30

¹⁴ *League of Nations: International Labour Conference: Hours of Work of Salaried Employees*, Report II (Geneva, ILO, 1930), pp. 237-238.

Nevertheless, there has been a general tendency for the reduction of the working hours along with the primary topics of the Conventions. Countries have not the same socio-economic conditions, so many of them prefer a progressive reduction by national legislation or collective bargaining. A large number of countries in which weekly limits of 48 hours or lower have been already established, they have not ratified one or both Conventions (See ILO, 2005).

The economic crisis of the 1930s led authorities to use the reduction of working hours as a tool to fight unemployment. In this perspective, 40-hour week was established with the Forty Hour Week Convention, 1935 (No. 47).

Over the years, ILO has continued to improve the legal standards of the working time. It has published 189 Conventions¹⁵ (8 fundamental, 4 governance (priority) and 177 technical) and 204 Recommendations¹⁶ since its foundation.

In 1944, it established '*ILO Declaration of Philadelphia*' concerning the aims and purposes of the International Labour Organisation. The first article of the declaration emphasized that "labour is not a commodity". It was stated that lasting peace can be established only if it is based on social justice. So, "*All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity*". Finally, ILO's objectives regarding working life were listed as follows:

- full employment and the raising of standards of living;
- the employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being;
- the provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement;
- policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection;

¹⁵ Table A.1

¹⁶ Table A.2

- the effective recognition of the right of collective bargaining, the cooperation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures;
- the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care;
- adequate protection for the life and health of workers in all occupations;
- provision for child welfare and maternity protection;
- the provision of adequate nutrition, housing and facilities for recreation and culture;

In 1998, The Declaration on Fundamental Principles and Rights at Work was adopted at the 86th International Labour Conference. This declaration contains four fundamental policies:

- The right of workers to associate freely and bargain collectively;
- The end of forced and compulsory labour;
- The end of child labour; and
- The end of unfair discrimination among workers.

The ILO asserts that its members have an obligation to work towards fully respecting these principles, embodied in relevant ILO Conventions.

Since the 1990s, the demand for working time flexibility has been high especially in the service sector, in white-collar jobs and even in manufacturing industries. These demands have contributed the creation of a “24-hour society”. So, the 8-hour day has lost its importance slowly. There are diverging patterns of working time structures and regulations regarding labour relations that exist today all around the world. Flexible schedules and non-standard work arrangements as fixed-term, on-call, temporary and part-time are widely used (Berg, 2014). These have resulted in a growing diversification of working hours.

However, these new opportunities for flexibilisation have been exploited (Bosch & Lehndorff, 2001). Short working times often conduce to long operating hours, especially in industry. The outcomes of these trends such as increasing employment insecurity have been the main debate in many fields regarding the workers’ health and

safety. Spurgeon summarized the specific health and safety effects in relation to each working pattern as follows (Spurgeon, 2003):

- Sleep disturbance and fatigue,
- Cardiovascular problems,
- Gastrointestinal problems,
- Mental health problems,
- Reproductive disorders,
- Somatic and non-specific symptoms,
- Social and behavioural difficulties,
- Accidents and injuries.

So, these new challenges created a new concept to the working time called '*decent work*'. There are five significant dimensions as follow: working time arrangements should promote health and safety; be "family-friendly"; promote gender equality; advance the productivity of enterprises; and facilitate worker choice and influence over their hours of work (Messenger, 2006).

However, these limits did not take an immediate effect in countries. Firms, employers and work organisations needed time to take the steps to reduce hours. Lee, McCann and Messenger (2007) indicate that "*One important implication which can be drawn here is that developments in working hours are far more complex than is normally understood. Economic development and income growth matter in reducing working hours, but the speed at which the reduction is achieved is very different across countries. In some cases, working hours can increase despite economic and income growth. European experience, in fact, indicates that the institutional framework in the country and union strength are far more important in determining working hours (e.g. Lehdorff, 2000). Trade unions in Europe have tended to put an emphasis on shorter hours to protect workers' health, increasingly to maintain or create jobs, and more recently to address work-life balance. By contrast, overall such efforts have not generally been strong in Anglo-Saxon countries. Yet, a more complicated picture emerges when we consider other parts of the world, especially developing countries and transition economies.*"

2.2. Working Time in Terms of Other International Regulations

Apart from ILO, working hours took also attention of Europe. The “international bill of rights,” consisting of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which contains labor-related clauses such as freedom of association, organizing, and bargaining; prohibitions on forced labor and child labor; non-discrimination and health and safety in the workplace; decent wages and benefits; and other labor subjects (Gross & Compa, 2009) were published. Most of the regulations regarding economic development have arrangements for improving working conditions and workers’ rights.

2.2.1. Universal Declaration of Human Rights (UHR)

The Universal Declaration of Human Rights (UDHR) is a declaration adopted by the United Nations General Assembly on 10 December 1948. The Declaration arose directly from the experience of the Second World War and starts with “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world*” in the preamble.

Under the Article 56, the Member States of the United Nations are obliged to take necessary measures in respect of human rights, in particular, to recognize fundamental rights and freedoms, regardless of race, sex, language and religion.

The Universal Declaration of Human Rights also proclaims working right as a human right in its Article 23:

- Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

- Everyone, without any discrimination, has the right to equal pay for equal work.
- Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- Everyone has the right to form and to join trade unions for the protection of his interests.

Also in Article 24;

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Forced labour is banned¹⁷ and ‘a standard of living adequate for the health and well-being’ is also stressed in the Declaration.

2.2.2. European Convention on Human Rights (September 3, 1953)

The European Convention on Human Rights (ECHR) is an international treaty to protect human rights and fundamental freedoms in Europe.

Although there was no direct regulation regarding working time, it was stated that “*No one shall be required to perform forced or compulsory labour.*”

2.2.3. Treaty of Paris (April 18, 1951)

The Treaty of Paris set up the European Coal and Steel Community (ECSC) with the six Member State founder-members in 1951 with essentially an economic policy objective. However, Article 2 of Treaty, made it one objective to contribute to the

¹⁷ “*No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.*” (Article 4)

development of employment and improvement of the standard of living of the Member States (Bercusson, 1996). It proposes the instability of workers regarding the adaptation of the economic changes. The ECSC provided help to support the re-conversion of enterprises and the redeployment of workers who lost their jobs.

It emphasizes the equality of wages and social provisions and, worker representatives with the purpose of combining active labour market policy with labour involved in the mechanisms of adjustment.

2.2.4. Treaty of Rome (March 25, 1957)

The Treaty of Rome, officially the Treaty establishing the European Economic Community (TEEC), is the term used to refer to the creation of the European Economic Community (EEC). It is one of the two most important treaties in the modern-day European Union (EU).

The Community was founded in the purpose of “*establishing a common market and progressively approximating the economic policies of Member States, promoting throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, and an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it*”¹⁸. It has significant effects on the labour and industrial relations in the Member States. Under the title of ‘free movements of persons, services and capital’, it stated the freedom of movement for workers which entails the abolition of any discrimination based on the nationality of workers, the right subject to limitations justified on grounds of public policy, public security or public health¹⁹.

According to Part 3, Title III (Social Policy) the Member States agree upon the need to promote improved working conditions and an improved standard of living for workers. So from Article 117 to 128, the Commission shall have provisions concerning employment, labour law and working conditions, vocational training, social security,

¹⁸ The Treaty of Rome, Article.2

¹⁹ The Treaty of Rome, Article

prevention of occupational diseases, the right of association and collective bargaining, equal payment for equal work, raising the standard of living, unemployment compensation etc.

2.2.5. European Social Charter

The European Social Charter of 1961 is the counterpart of the European Convention on Human Rights in the sphere of economic and social rights. The Charter was revised in 1996 but came into force in 1999.

The charter grants labour rights as follows:

- Everyone shall have the opportunity to earn his living in an occupation freely entered upon.
- All workers have the right to just conditions of work.
- All workers have the right to safe and healthy working conditions.
- All workers have the right to a fair remuneration sufficient for a decent standard of living for themselves and their families.
- All workers and employers have the right to freedom of association in national or international organisations for the protection of their economic and social interests.
- All workers and employers have the right to bargain collectively.
- Children and young persons have the right to a special protection against the physical and moral hazards to which they are exposed.
- Employed women, in case of maternity, have the right to a special protection.
- Everyone has the right to appropriate facilities for vocational guidance with a view to helping him choose an occupation suited to his personal aptitude and interests.
- Everyone has the right to appropriate facilities for vocational training.
- All workers and their dependents have the right to social security.

- 15 Disabled persons have the right to independence, social integration and participation in the life of the community.
- Migrant workers who are nationals of a Party and their families have the right to protection and assistance in the territory of any other Party.
- All workers have the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex.
- Workers have the right to be informed and to be consulted within the undertaking.
- Workers have the right to take part in the determination and improvement of the working conditions and working environment in the undertaking.
- All workers have the right to protection in cases of termination of employment.
- All workers have the right to protection of their claims in the event of the insolvency of their employer.
- All workers have the right to dignity at work.
- All persons with family responsibilities and who are engaged or wish to engage in employment have a right to do so without being subject to discrimination and as far as possible without conflict between their employment and family responsibilities.
- Workers' representatives in undertakings have the right to protection against acts prejudicial to them and should be afforded appropriate facilities to carry out their functions.
- All workers have the right to be informed and consulted in collective redundancy procedures.

2.2.6. International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights (ICCPR) is a multilateral treaty adopted by the United Nations General Assembly on 16 December 1966, and in force from 23 March 1976.

It was stated that *“in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights”*.

According to the Article 8 of ICCPR *“No one shall be required to perform forced or compulsory labour”*.

2.2.7. International Covenant on Economic, Social and Cultural Rights (ICESCR)

The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly on 16 December 1966 with the ICCPR, and in force from 3 January 1976. It commits its parties to work toward the granting of economic, social, and cultural rights including labour rights, the right to health, the right to education, and the right to an adequate standard of living.

ICESCR defines the right of work as *“the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right²⁰.”* All the state parties are required to take the measures to ensure this right including²¹:

- Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
- A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- Safe and healthy working conditions;

²⁰ ICESCR, Article 6

²¹ ICESCR, Article 7

- Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays

It also put the state parties under the obligation of ensuring the rights regarding trade unions²² and social security²³. Women and children also have an attention regarding the special measures of protection and assistance²⁴.

3. LIMITS IN INTERNATIONAL LAWS

How much progress has been made in regulations for improvement of working time? When we analyze working time developments in the capitalist world in general and in the 20th century Europe in particular, we can see two major long-term trends. The first, the fundamental, change was the step-by-step establishment of the 8-hour day and, later, the 40-hour week as a legally mandated or widely adopted contractual standard. The second trend, which has gained ground over the last 20 or 30 years, is the proliferation of non-standard working hours above and below the 40-hour standard across many countries and industries (Lehndorff, 2014).

(The legal limits approved by countries are shown in Appendix.)

²² ICESCR, Article 8

²³ ICESCR, Article 9

²⁴ ICESCR, Article 10

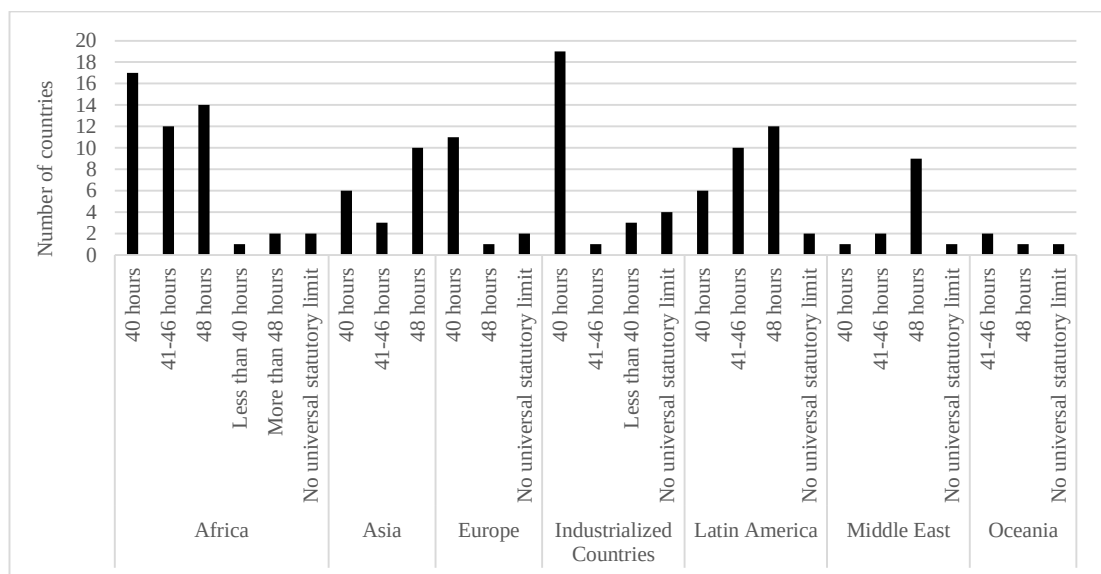
3.1. Weekly Hours

The reductions in working time have started in the light of eight-hour day and 48-hour week, however, it was not the only standard. By the 1920s, a number of industries in Europe and the United States had introduced a 40-hour week; as noted in Conventions, it was embodied in the Forty-Hour Week Convention, 1935 (No. 47). By the time of the ILO's first comprehensive review of national working time laws in 1967, a trend toward the 40-hour limit was also evident in national measures (ILO, 1967). The statutory normal hours of work have been reduced gradually from 48 hours to 40 hours in a large number of countries (ILO, 2005; McCann, 2005), which can be considered as a historical achievement in the last century²⁵.

In most advanced countries, weekly working hours are standardized at 35 to 44 hours per week, which are worked from Monday to Friday mostly between 7 a.m. and 5 p.m (Bosch et al., 1994, Lee et al., 2007).

The information about the regulations made for working time is taken from ILO's Database of Working Time Laws. According to this database, last updated in 2011, Figure 3.1 shows the following:

Figure 3.1: Legal limits of working hours in countries, by number of countries



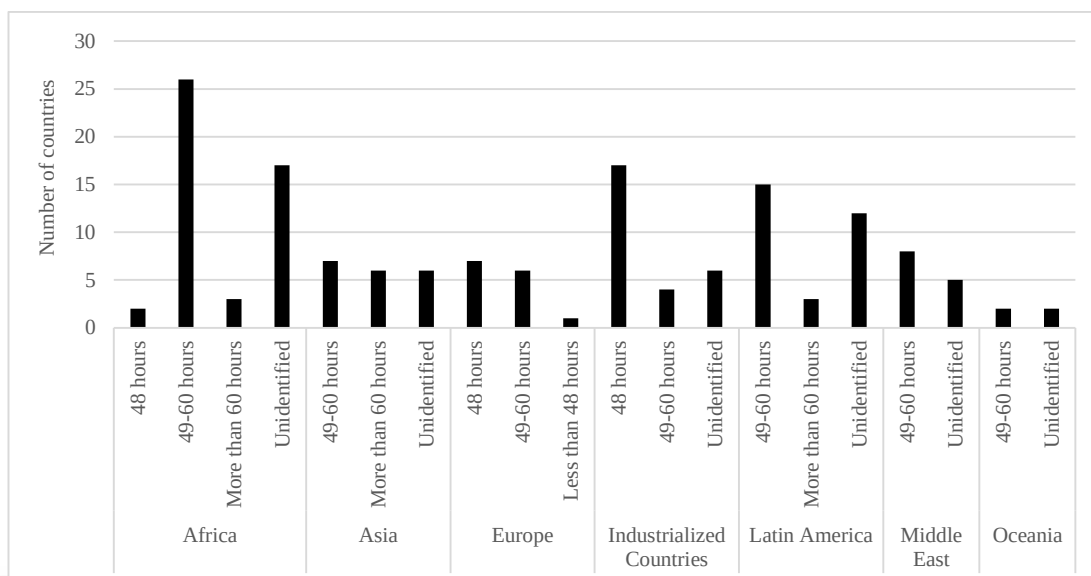
Source: ILO Travail Database, 2011

²⁵ Lee, McCann, & Messenger, 2007, p.2

- In a large number of countries, weekly limits lower than 48 hours have been established.
- 40-hour limit is the most prevalent standard. The majority of industrialized countries imposed the limit of 40 hours. From 1967 to 2011, there has been a general trend from 48 to 40-hour week among these countries. Three countries have a lower threshold: Belgium (38 hours), Australia (38 hours) and France (35 hours).
- A significant number of developing countries have longer working hours than industrialized ones.
- The 48-hour limit is applied in 47 countries. The majority of the Asian, African, Latin American and Middle Eastern countries belong this category. In Latin America, the 48-hour limit is more dominant than in other regions.
- 12 countries have no general weekly limit.

“Around the world, almost 80 percent of countries have legislative provisions applying some kind of maximum limit on weekly working hours, including overtime. Most countries fall into one of two main groups: those that establish maximum weekly working hours at 48 hours or less (41 percent of countries) and those that establish maximum working-time limits of 49 or more hours per week (37 percent). A large proportion (14 percent) of those permitting 49 or more hours allow for weekly working limits of 60 hours or more, with some countries permitting upwards of 72 working hours per week. In some countries (18 percent), no statutory maximum weekly working hours are established or applied (ILO, 2011; p. 13, para. 43).”

However, the limits can be averaged over a reference period, not only a week. For example; in France, the average hours within a period of 12 weeks cannot exceed 44 hours. In Germany, although there is no normal weekly hours limit, 10 hours per day and averaged 8-hour is maintained over a 24 week period. In Ireland, weekly limit calculated over different average reference periods: the maximum average weekly working hours (including overtime) cannot exceed 48 hours;

Figure 3.2: Maximum weekly legal limits in countries, by number of countries

Source: ILO Travail Database, 2011

- over 4 months for most employees;
- over 6 months for employees working in the security industry, hospitals, prisons, gas/electricity, airport/docks, agriculture and employees in businesses which have peak periods at certain times of the year such as tourism.
- over 12 months where there has been an agreement between the employer and the employees to this effect. The agreement between employer and employees must be approved by the Labour Court²⁶

In some extraordinary cases, these limits can be extended without recourse to overtime pay, such as;

- in response to an accident;
- urgent work on machinery or plant that must be carried out beyond normal hours in order to avoid a serious disruption of the enterprise;
- work in response to an unforeseen need, etc.²⁷

In such cases, additional hours can be unlimited or higher limits are specified. This is up to the countries prior authorisations, labour legislation, collective agreements and work councils. In the same way, governments can progressively

²⁶ Organisation of Working Time Act S.15

²⁷ Belgium, Labour Act §§ 20, 22, 25, 26

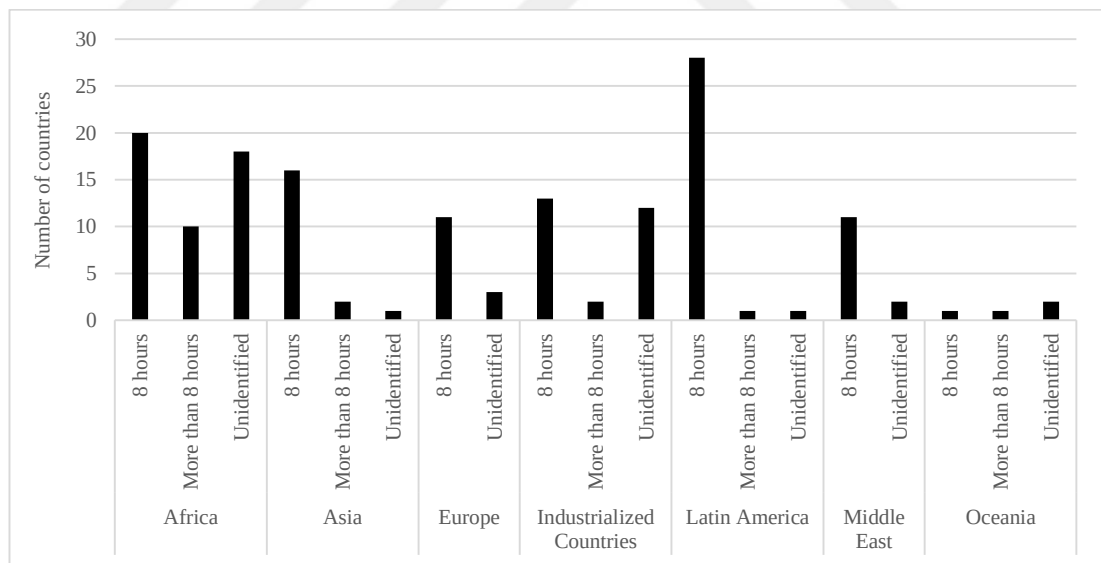
reduce the hours limit, without any reduction in pay, in enterprises or sector in which unhealthy, hazardous or dangerous work is performed.

There are also some special categories that their working hour limits are identified additively; such as shift work, night work, on-call work, young workers, pregnant workers.

3.2. Daily limits

Daily working hour limits are a feature of Conventions Nos. 1 and 30, both of which provide for an 8-hour limit on normal hours. Convention No. 47 and Recommendation No. 116 do not provide for daily limits, the 40-hour week is considered an adequate guarantee of a working day of 8 hours or less (ILO, 1967).

Figure 3.3: Legal daily limits in countries, by number of countries



Source: ILO Travail Database, 2011

Apart from the weekly normal hours limit, the daily working hours limits are identified in most countries (75%). The 8-hour limit has the lion's share of 65 percent around the world. The incidence of countries having more than 8-hour daily limit is

low (10%), on the other hand, most of the Industrialized and African countries have no universal limits.

Daily limits can also be extended in certain circumstances, usually of 9 or 10 hours. In some countries, when daily limits are extended, it is compensated with additional rest periods. In Belgium²⁸ and Mozambique²⁹, for instance, daily working time can be extended from 8 to 9 hours if the employee is granted a half-day off each week in addition to the weekly rest days (McCann, 2005).

3.3. Overtime limits and premiums

Overtime refers to all hours worked in excess of the normal hours, unless they are taken into account in fixing numeration in accordance with custom [Reduction of Hours and Work Recommendation, 1962 (No. 116)].

Overtime work can be required when³⁰;

- for the performance of work related to the national defence;
- for the prevention of, and struggle against, natural and social disasters or dangers, and for the removal of their immediate consequences;
- for the performance of urgent publicly necessary work to restore water and electrical supply, heating, sewerage, transport and communication links, and for providing medical assistance;
- for doing emergency repairs in working premises, on machines and other equipment;
- for the completion of work which can not be completed within the regular working hours - in case stoppage of such work may result in danger for the life and health of people, and in damaging machines and materials;
- for the performance of intensive seasonal work.

²⁸ Loi sur le travail, article 20.

²⁹ Lei do trabalho, article 28(2)

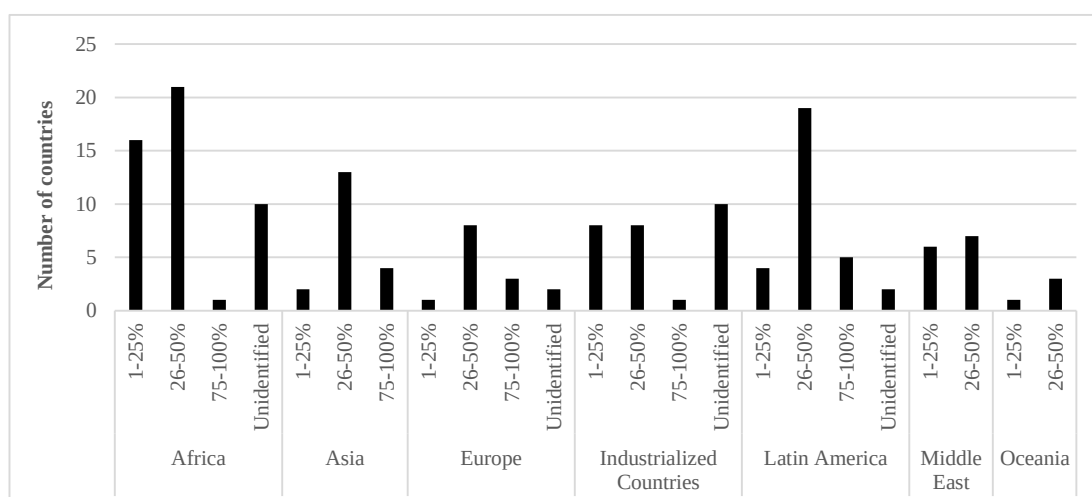
³⁰ Bulgaria, *Labour Code Art.143(2), 144, 146, 147*

Overtime is prohibited for young workers and pregnant women in most countries.

Although some countries do not strict the overtime hours, it is limited by laws in most countries and workers are provided overtime compensation, either with pay premium or extra rest periods. Pay premium has a two-sided function: on the one hand, it makes a compensation for the worker as an extra earning; on the other, it prevents an employer from forcing worker work unhealthy and unsocial hours.

“...At the national level, overtime is regulated by a combination of legal restrictions and collective agreements. The scope of both modes of governance varies considerably across countries. The Member States of the European Union have adjusted their legal regulations on total working time to the EU Directive. In Europe, the maximum limit of standard working time is set either by legislation (like in many Scandinavian and southern European countries) or by collective bargaining (like in Germany and Denmark). In the United Kingdom, it is determined at the company or workplace level. In Central Europe, mainly as a consequence of the socialist legacy, overtime is still regulated to a large extent by state legislation instead of collective bargaining. The federal law of the United States, in contrast, contains no legal restrictions on total, but only on standard, working hours... (ILO, 2004)”

In Figure 3.4, minimum overtime premiums are shown by country. The international standards require that overtime work is remunerated at a premium rate of not less than 25 percent above the ordinary wage (McCann, 2005). Almost 45 percent of the countries that covered in Figure 3.4, it is obliged to pay at least 50 percent of the ordinary wage for overtime work. Another dominant rate is between 25-50 percent. In Spain, Latvia, Macedonia, Bangladesh, Brunei Darussalam, Pakistan, El Salvador, Bolivia, Nicaragua and Uruguay workers are paid 100 percent of their ordinary wage. Overtime premia are not identified mostly in Industrialized and African countries.

Figure 3.4: Legal minimum overtime premiums in countries, by number of countries

Source: ILO Travail Database, 2011

Some countries overtime premium is separated to the scales according to the hours worked beyond the normal hours. For example; in Finland, the wage payable for the first two hours of overtime above the daily regular working hours shall be the regular wage plus 50 percent, and for additional hours the regular wage plus 100 percent³¹. In British Columbia, 50% increase (work beyond 8 hours a day) and 100% increase (work beyond 12 hours a day)³². Overtime premium on weekly rest days and public holidays is usually much more.

3.4. Paid annual leave

Paid annual leave is addressed in the Holidays with Pay Convention (Revised), 1970 (No. 132), which establishes the right of every person to whom it applies to an annual paid leave of at least three working weeks for one year of service.

It can be considered as a spiritual and physical renewal for workers. Indeed both employees and employers benefit from its returns: on the one hand, employees find an opportunity to relieve the tiredness of the whole year and to spend time with their

³¹ Working Hours Act S.22

³² Canada Labour Code §174, British Columbia Employment Standards Act §40(1)

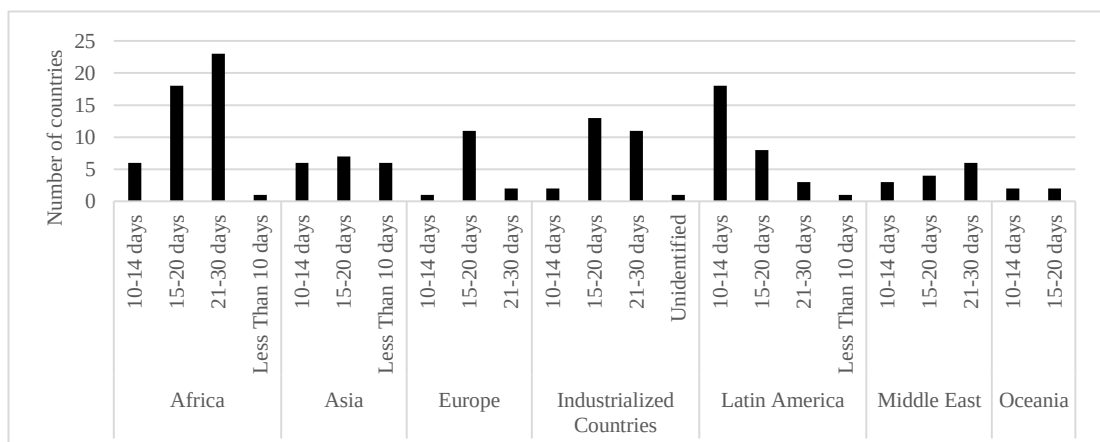
family; on the other, when they return to the work they will be more efficient for the firms and employers.

“...To ensure that workers receive adequate rest Convention No. 132 prohibits agreements by which workers might accept to relinquish their right to the minimum annual holiday with pay, including in exchange for monetary compensation. Such agreements must be declared null and void or be prohibited in accordance with national law. The division of the leave period into parts may be authorized but one of the parts must in principle consist of at least two uninterrupted working weeks. This uninterrupted part of the annual holiday with pay must be granted and taken no later than one year, and the remainder no later than 18 months, from the end of the year in respect of which the holiday entitlement has arisen” (ILO, 2011, p. 23).

In almost all countries workers are entitled to have paid annual leave in each year of their employment. This doesn't include public holidays or sick leave. During this leave, they must be paid their ordinary wage.

In Figure 3.5, it is seen that most countries have 15-20 days of leave (almost 41 percent of the countries above). African workers seem to have the longest vacation days; almost half of the African countries have 21-30 days of leave and the majority of users with 15-20 days off is again Africans. In Latin America, more than half provide 10-15 days of leave, with a lower entitlement.

Figure 3.5: Legal minimum paid annual leave in countries, by number of countries



Source: ILO Travail Database, 2011

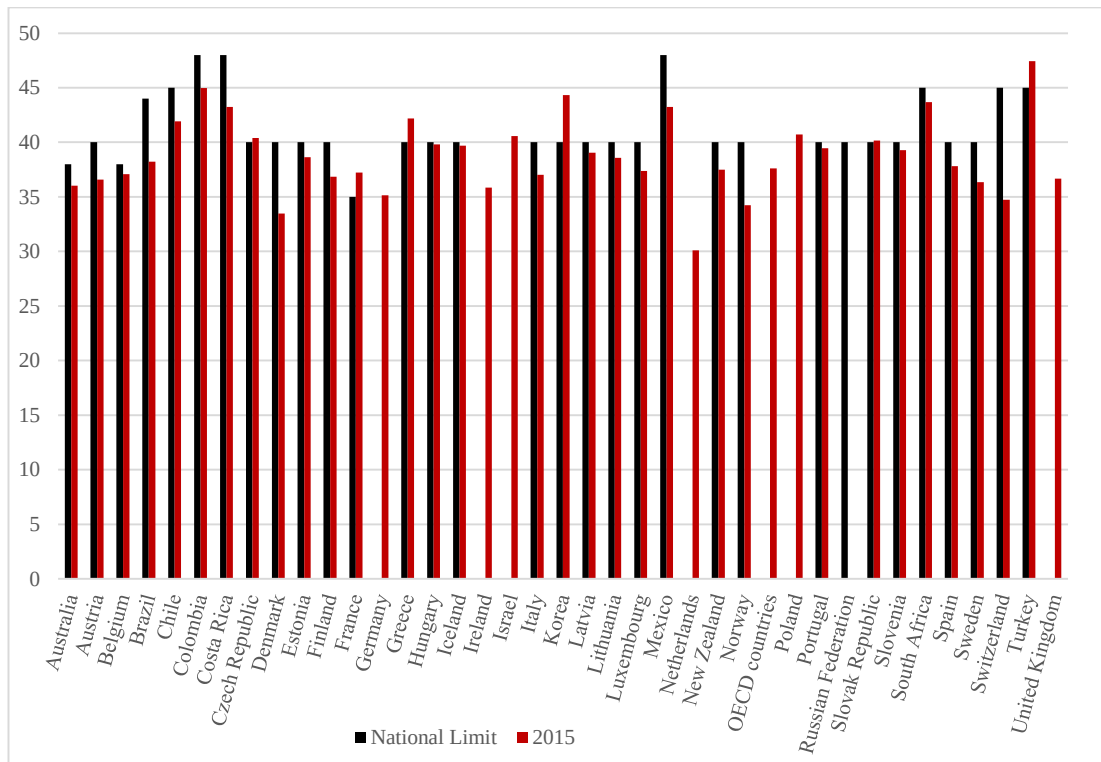
3.5. Statistics regarding hours of work

In the previous sections, normal limits are mentioned. However, the distribution of working hours varies among workers.

3.5.1. Average hours of work

Most of the countries have a national law for the weekly hours of work. However, almost all countries in Figure 3.6 (from the OECD statistics), except Korea and Turkey, work on average under their national weekly limits.

Figure 3.6: Average usual weekly hour worked and national weekly limits, 2015



Source: OECD

How much have the averages been changed over the years?

The most common reference periods are the week and the year when interpreting the average hours worked over any time period. In Figure 3.7 we see the average usual weekly hours worked by country in between 1991-2015. There has been a general downward trend in most of the countries since 1991. But, weekly hours cannot show the big picture about a year. Countries have different paid annual leaves and public holidays, and also have different implementations about overtime works, premiums and reference periods, etc. So, it would be more accurate to interpret the average hours of work on an annual basis.

In Figure 3.8, average annual hours actually worked per worker in between 1991-2015 were shown. When we make a comparison:

- Despite having the highest average on the annual basis, Mexico ranked 32 of 35 countries on the weekly basis in 2015.
- In the same way; in 2015 Netherlands had the lowest average on the weekly basis, however it was the 4rd country on the annual basis.
- Despite having one of the longest annual limits around the world, Korea was experiencing the greatest decrease in terms of both annual and weekly basis. In 2011, “Comprehensive Plan to Reduce Extended Working Hours” was put into action by the government in the light of cutting the annual working hours to 1,800 hours by 2020.

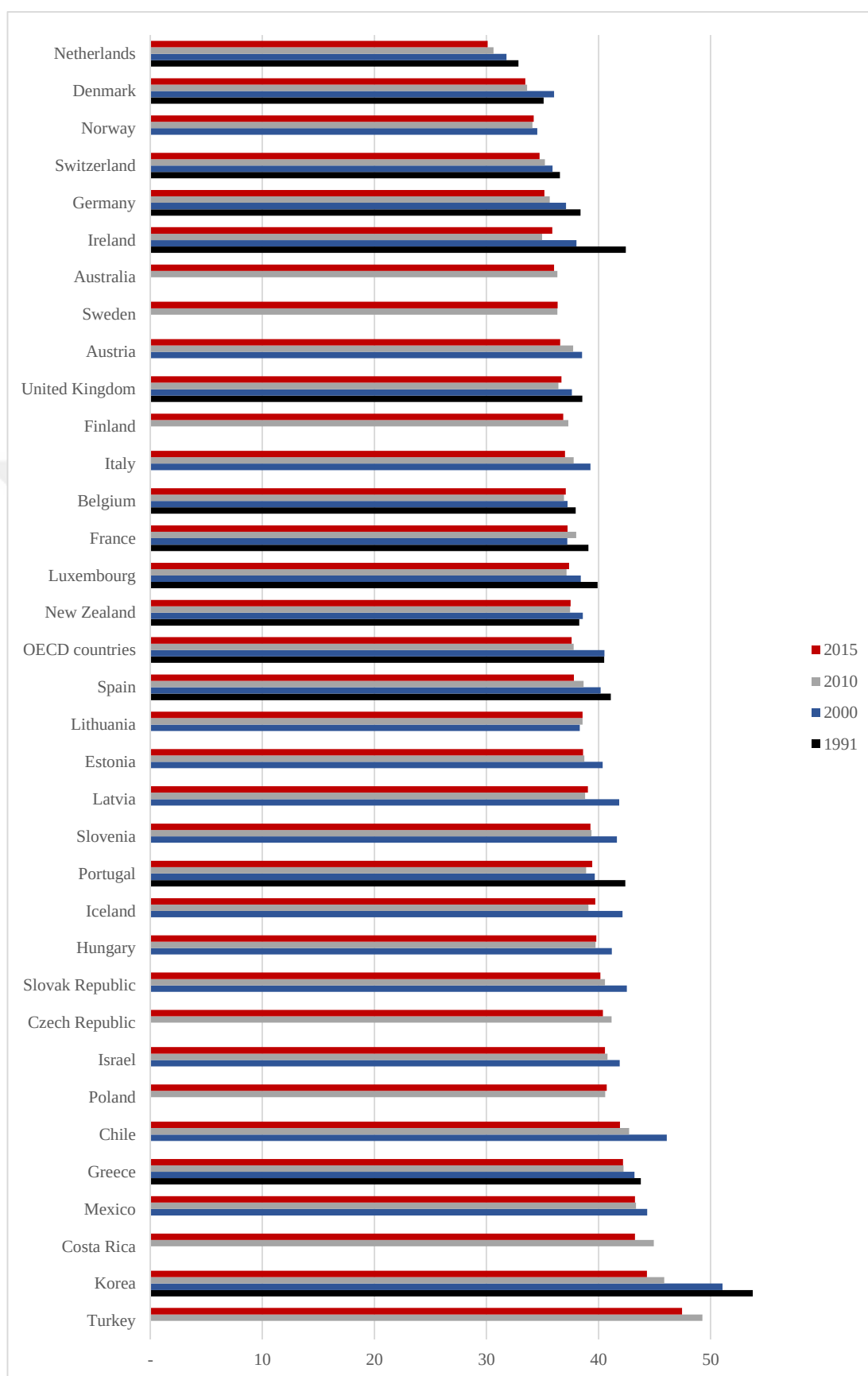
Figure 3.7: Average usual weekly hours worked by country, in between 1991-2015**Source: OECD Statistics**

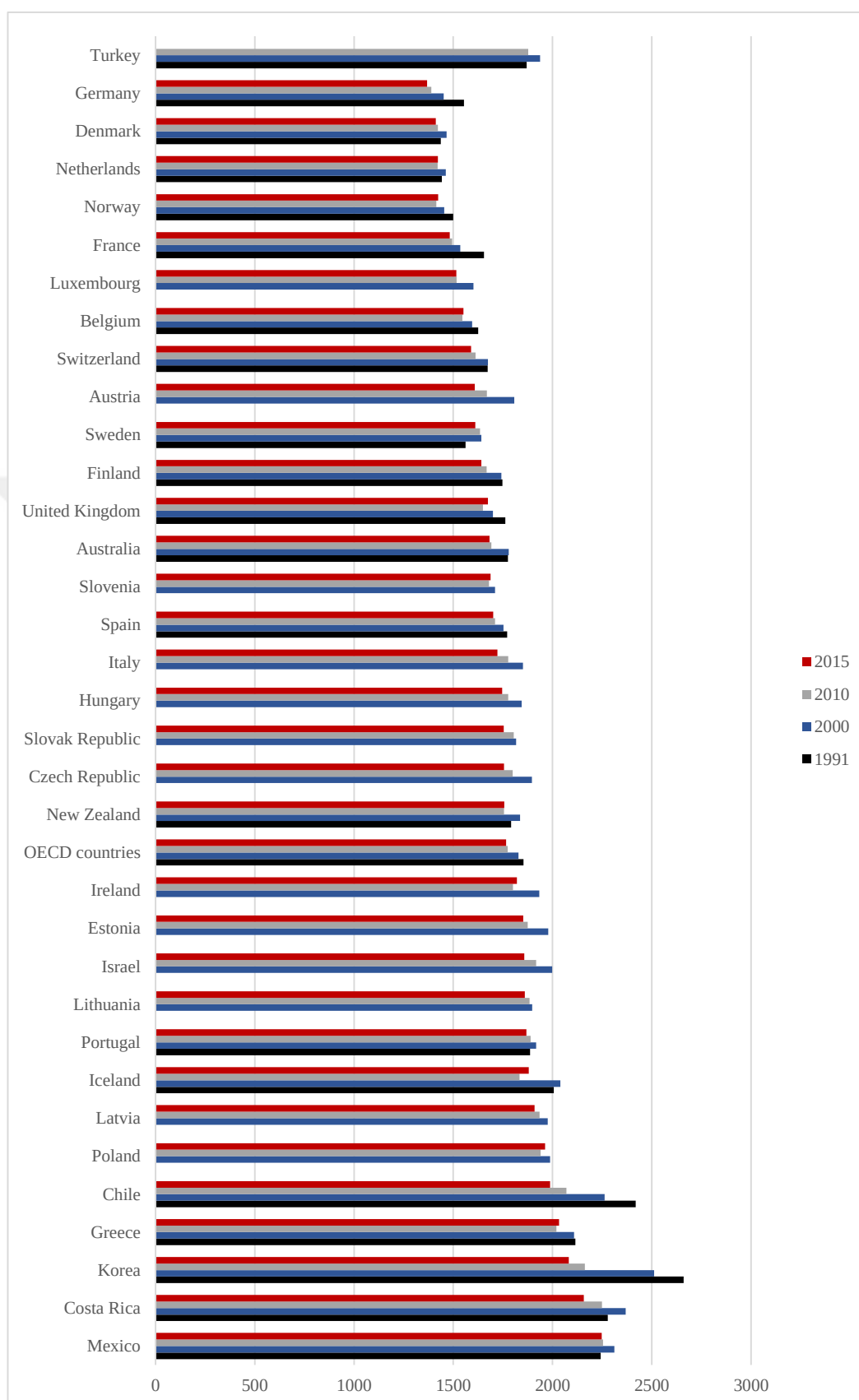
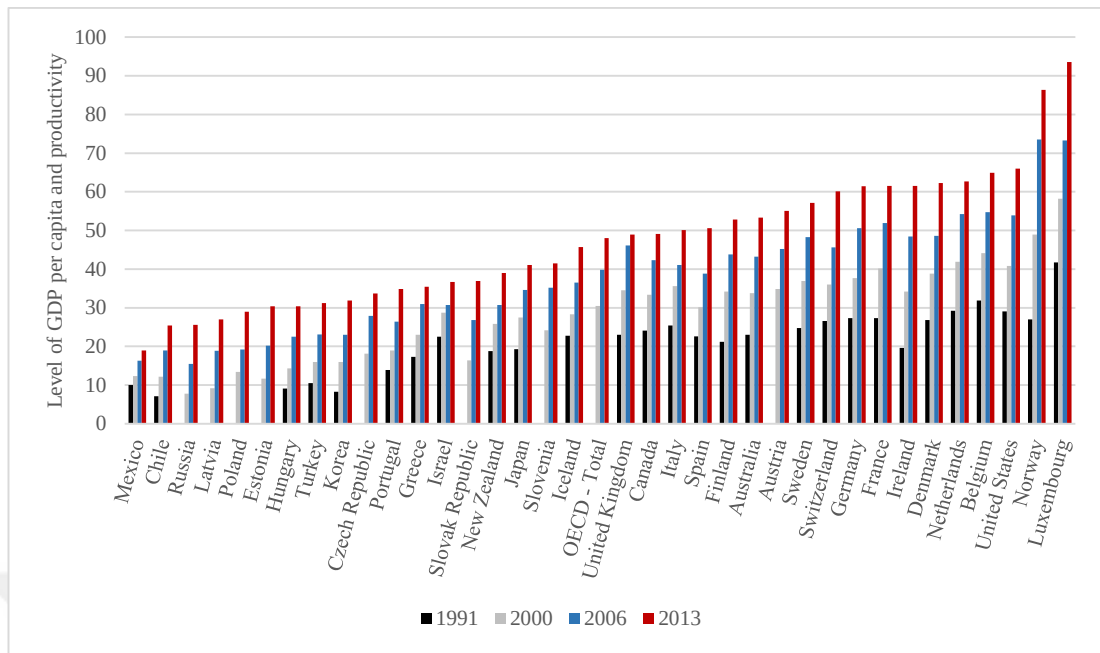
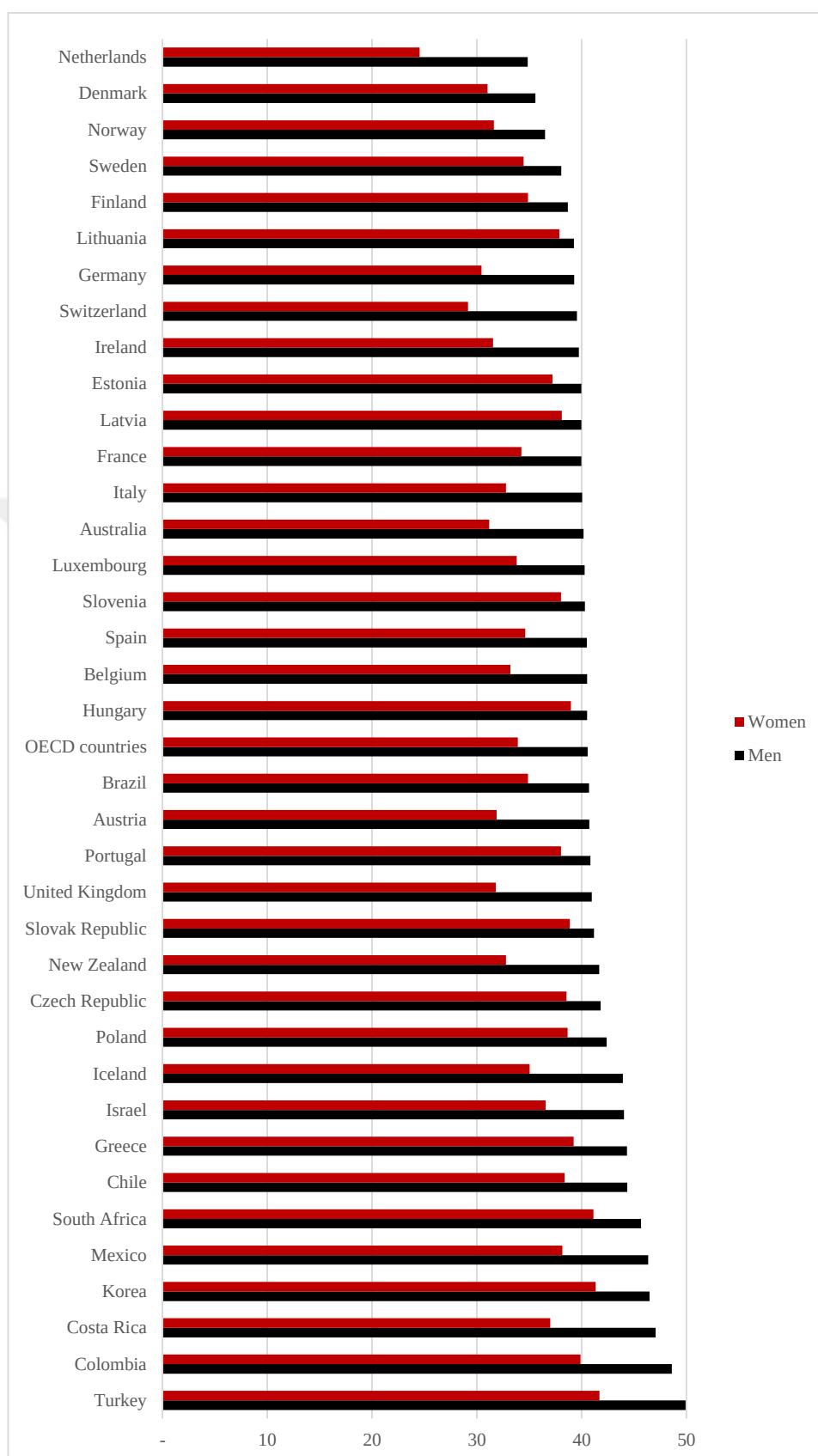
Figure 3.8: Average annual hours actually worked per worker, in between 1991-2015**Source: OECD Statistics**

Figure 3.9: Level of GDP per capita and productivity by country

Source: OECD Statistics

However, from the Figure 3.9, it can be understood that working more does not mean producing more. Countries with shorter working hours have better productivity. Of course, it is not true to comment just by looking at these limits; however, it can show that working more hours is not enough for countries to have efficient production levels.

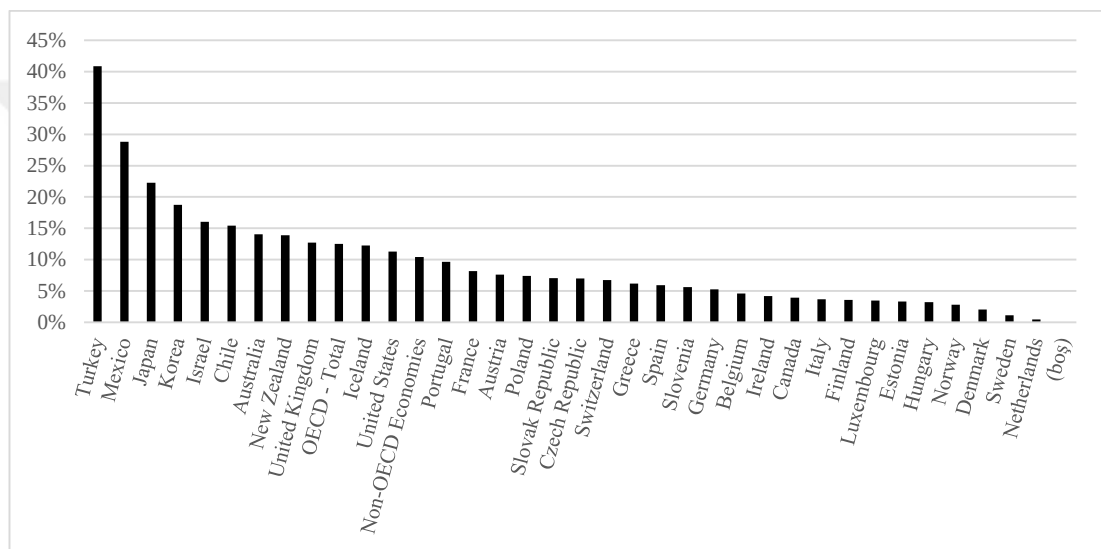
Another worth-stressing point is a gender difference. Women are working fewer than men as we can see in Figure 3.10. This situation does not change even in the developed countries. It might be expected that traditional gender division of labour would be a key factor pushing women into short hours of work, as would rigid work schedules and a lack of accessible childcare (Lee, McCann, & Messenger, 2007). Family responsibilities and childcare are the most dominant causes in this phenomenon. Most of the industrialized countries design policies such as long maternity leaves and childcare vacations about the women in this regard. Another key factor might be the part-time employment. As discussed in the Part-time Employment session, women's participation in the part-time employment is increasing day by day.

Figure 3.10 Average usual weekly hours worked by sex, 2015**Source: OECD Statistics**

3.5.2. Excessive hours of work

Excessive hours of work are defined as usual hours of more than 48 per week, as was recommended by the Tripartite Meeting of Experts on the Measurement of Decent Work (ILO, 2008, page 8).

Figure 3.11: Percentage of employees working 50 hours or more a week on average



Source: OECD Better Life Index

Working hours is a substantial component of work-life balance. For both physical and mental health, a healthy family life, life satisfaction etc. the quality of time spent out of work is important. For this reason, working excessive hours not only affects workers' productivity but also his/her whole life.

In Figure 3.11, the percentage of employees working 50 hours or more a week on average for the latest available year is shown. Turkey is well ahead among the others, followed by Mexico. This proportion is very low among the European countries.

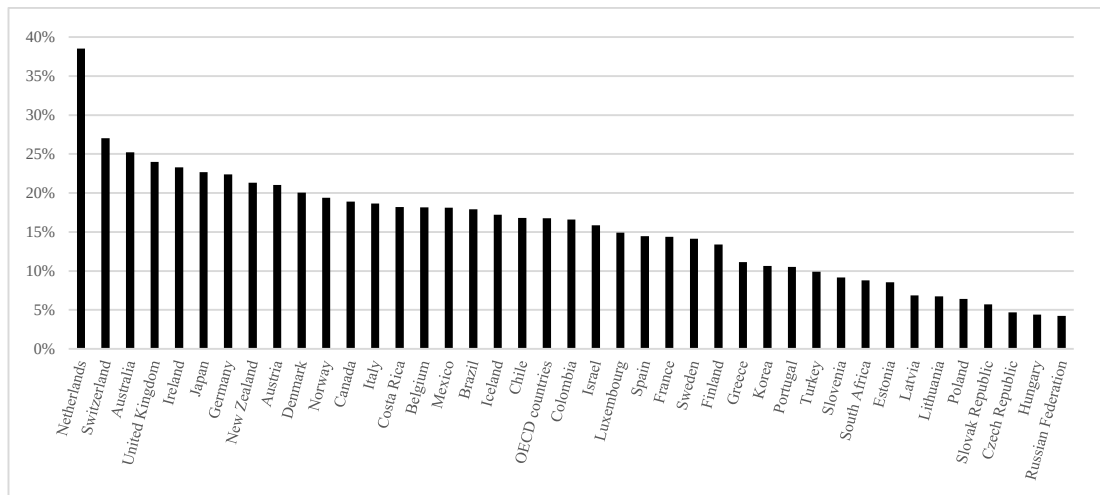
"...Research that attempts to quantify the relationship between hours worked and productivity found that employee output falls sharply after a 50-hour work-week, and falls off a cliff after 55 hours—so much so that someone who puts in 70 hours

produces nothing more with those extra 15 hours, according to a study published last year by John Pencavel of Stanford University. Longer hours have also been connected to absenteeism and employee turnover. The Centers for Disease Control and Prevention even has an entire website devoted to the effects of long working hours even if workers aren't paid for this extra time. It's not free, Pencavel points out.” (Sullivan, 2015)

3.5.3. Part-time work

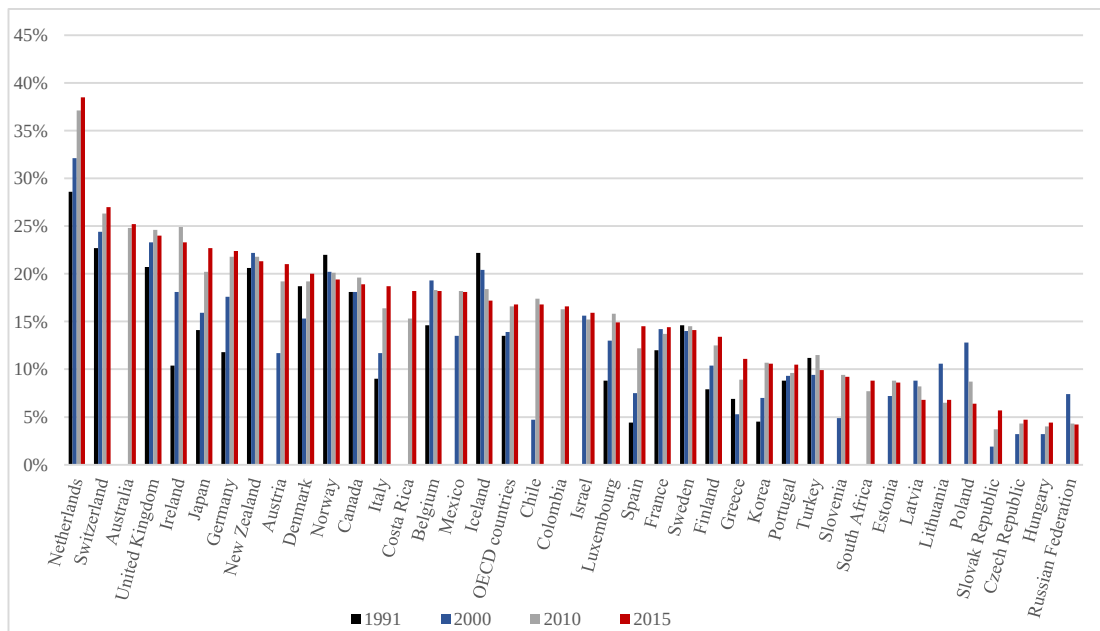
Part-time work is defined as ‘hours of work that are shorter than those of comparable full-time work’ in Part-Time Work Convention No. 175. The quality of part-time employment depends on the firms part-time working policies within the context of national policy frameworks (Fagan, 2014).

The gap between the incidence of part-time employment varies considerably across the countries. We can see in Figure 12 that, the highest incidence in the Netherlands, with an above average female participation rate. Because part-time work is accepted not only as an instrument for facilitating a more flexible approach to organize work but also as a means of reducing unemployment in Dutch labour market. In 1996 legislation prohibited discrimination between employees based on working hours; right to equal treatment in wages, holiday pay and entitlement, bonuses and training etc. So, the high female participation of part-time work demolishes the taboos regarding the perception of standard work.

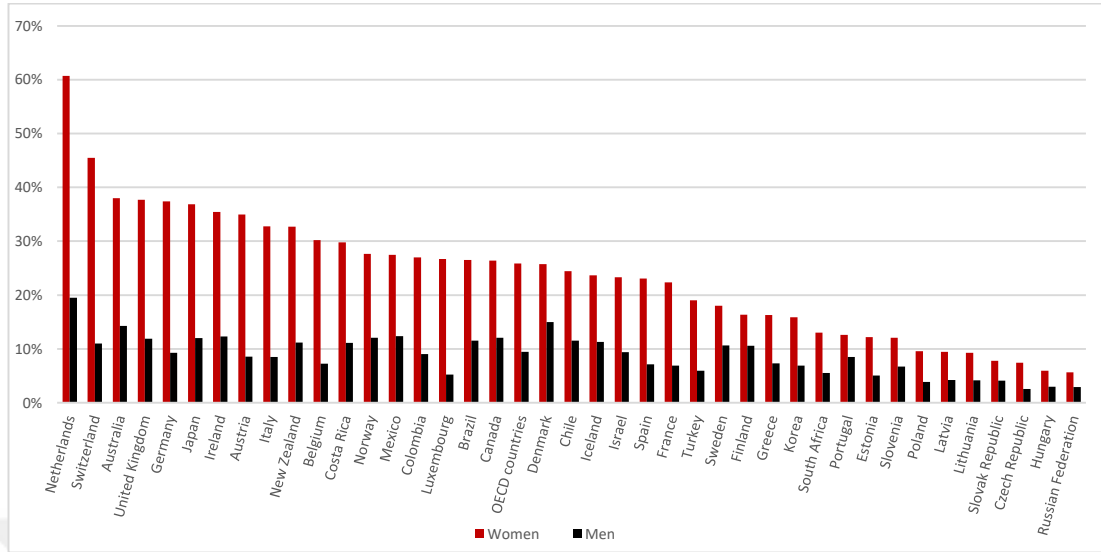
Figure 3.12: Part-time employment by country, 2015

Source: OECD Statistics

When we analyze the part-time work incidence towards the years, we see an upward trend across the countries. This is explained by the women participation in part-time work.

Figure 3.13: Part-time employment by country, 1991-2015

Source: OECD Statistics

Figure 3.14: Share of part-time employment by sex, 2015

Source: OECD Statistics

4. HISTORICAL BACKGROUND OF TURKEY

The evolution of working time in Turkish history can be separated into the steps according to the foundation of the Republic. Because of the deprivation of an enhanced awareness about working life in the Ottoman Empire, there weren't many arrangements regulating working life and conditions of workers. Working life was composed of agriculture, farming and handicraft businesses. Manorial system was regulating the agricultural policy; peasants were paying rent to till the ground.

There were craft guilds³³ that were the basis of the labour relations as regulating master-apprentice relationships and other rules about trading.

Geographical Discoveries and Renaissance have changed the social and economic structure of Europe. Since the end of the 17th century, industrial production era has begun; enterprises started to use machines for the high quality and cheap

³³ Loncalar

production. Because of its conservative attitude and lack of specialized labour, Ottoman Empire could not have kept up the industrialization process and, it turned into a raw materials market for European industry. After the signing of the “*Tanzimat (1838)*”, which literally means the reorganization of the Ottoman Empire and “*Baltalimanı Trade Agreement (1838)*”, it became a commercial colony for the European countries.

After the *Tanzimat*, the European-like industrialization process had begun. State-established factories producing goods in the public interest have been opened and, workers have started to run. However, these workers were different from the European workers; they were soldiers, peasants and young people in the region. So, the consciousness of the “working class” like Europe could not have emerged (Deniz, 2005). Accordingly, there was almost no arrangement regulating working life and rights of the workers in the Ottoman Empire.

The first written document that regulated the protection of the workers’ health, working conditions, wages, and employer-employee relations was “*Ereğli Maadin-i Humayun Teamülnamesi*”, also known as “*Dilaver Paşa Nizamnamesi*”. Actually, the main objective of this regulation was to increase the coal production in this region; leathernecks and other civil people living in Zonguldak and near 14 towns were put under the obligation of compulsory labour for 6-month a year. However, it restricted the working hours to 10-hour a day and also provided accommodation and doctor for workers.

In 1869, as a complimentary to the “*Dilaver Paşa Nizamnamesi (which could not become an Act)*”, *Maadin Nizamnamesi* was published. With this regulation, compulsory labour was banned and; taking preventive measures for labour accidents, hiring a doctor and having medicine chests in mines, paying compensation to sick workers in case of an accident (at the point of death to their families) became compulsory (Gerek & Oral, 2004).

In 1877, “*Mecelle*” was published and considered as a first civil Act for Turkey. It had been affecting labour relations for 57 years (Makal, Türkiye’de Tek Partili Dönemde Çalışma İlişkileri: 1920-1946, 1999). Working was seen as “human rent”. It was regulated in individualist and liberal perceptive; because workers were not only in labour relation with their employer but also have an emotional attachment

(Tunçomağ, 1988 & Saymen, 1954). Working time was indicated as “from sunrise to sunset or mid-afternoon, or regulated depending on the common laws of the region,”³⁴ and wages were as “hire purchase”³⁵. Also, it was accepted that “if a worker was at employer’s disposition, it would have been enough to become entitled to receive wage”³⁶.

The late emergence of the capitalist relations of production is the starting point of a new era for both Ottoman Empire and the Republic of Turkey in terms of economic, social and political change. The feudal system began to give its place to the capitalist production system gradually. This system generated two opposite group as “bourgeoisie and working class” and labour-capital struggle has started in Empire. Workers were on strike many times to get their unpaid wages for months, to increase wages and to decrease working hours. After the Proclamation of the Second Constitutionalist Period, strikes have increased and lots of workers took off from work in the light of liberalism. These strikes damaged the country’s economy, so, to prevent them and to ensure the business continuity, “*Ottoman Strike Act*”³⁷ (July 29, 1909) was published. It was banned to establish trade unions, established unions were closed and the right of the strike was restricted in public enterprises. This Act has stayed in force since the publication of the Labour Act No. 3008 in 1936.

Associations, established after the Proclamation of the Second Constitutionalist Period without any legal restriction, has gained legitimacy with the publication of “*Act of Associations*”³⁸, (August 16, 1909) and with the additional article to the “*Ottoman Basic Act*”³⁹ (1876) right to form an association has been guaranteed the constitutional assurance (Toprak, 1983).

³⁴ Paragraph 495, Mecelle

³⁵ Paragraph 404, Mecelle

³⁶ Paragraph 425, Mecelle

³⁷ Tatil-i Eşgaal Kanunu

³⁸ Cemiyetler Kanunu

³⁹ Kanun-u Esasi

4.1. Republic Period

Republic period is a revolutionist period in the legal system in which modern Western legal system has been adopted (Arıcı, 1992). The basis of modern labour Act and legislation has been formed with the purpose of reaching the level of developed countries in these years.

4.1.1. Ereğli Coal Region Workers Act, No. 151

First legislative arrangement regarding working time in republic period was “*Ereğli Coal Region Workers Act, No. 151*”⁴⁰, published on September 21, 1921, and, working time was limited to 8-hour a day⁴¹. This Act not only restricted the working hours but also brought an order to the workers’ rights like workers cannot be forced to overtime work (Arıcı, 1992). Also, the concepts like minimum wage and payment of double wage in case of an overtime work were within the scope of the Act.

4.1.2. Izmir Economic Congress, 1923⁴²

After the War of Independence, victory was gained; but it was not enough. M.Kemal Atatürk was being at the first place, administrators of the new Turkey have started to work towards economic independence which was considered as the most important step towards providing and maintaining political independence (Koç, 2001). Accordingly, in 1923, Izmir Economic Congress was convened in order to discuss the actions to be taken about to improve and develop the economic situation in Turkey. In this Congress not only the economic policies were discussed but also the perception

⁴⁰ “*Ereğli Havza-I Fahmiye Maden Amelesinin Hukukuna Müteallik Kanun*”,

⁴¹ Article 8

⁴² İzmir İktisat Kongresi

about the social classes was revealed. Social demands of these classes like farmers, merchants, businessmen and workers etc. were expressed (Ökçün, 1971).

At the Congress, Economic Principles of Labour Group consisting of 34 articles were permitted. Main articles are⁴³:

- Be called “worker” instead of “coolie⁴⁴”
- Introduction of a global tax application with the name of “health tax” and, using this income only for tuberculosis sanatoriums, hospitals and lactation rooms,
- Election of the workers’ representatives in the parliamentary and municipal elections,
- Granting of trade union rights and, amendment of the related articles about the workers’ rights in the Labour Act,
- Setting daily working time as 8-hour (except 1-hour rest period),
- In case of 4-hour overtime work after completing an 8-hour daily work, overtime payment of 100 percent of daily wage; also in case of 8-hour night work, payment of double daily wage,
- Setting daily 6-hour of work to workers working in mines and paying wage of 8-hour work; also the prohibition of underground work for women and children under the age of eighteen,
- Before and after the birth and also 3-day a month, giving female workers an 8-week maternity leave with pay,
- Acceptance of the concept of minimum wage determined quarterly in the municipal councils with workers’ representatives,
- Cash and regular payment of wages in all institutions,
- Giving all workers a right to 1-day rest a week on Fridays and 1-week marriage leave,
- Adoption of May 1 as “Labour Day”,
- Full payment to the permanent workers on the weekly and public holidays and on the Labour Day,
- Giving full payment to workers in case of illness for 3 months and paying pension in case of incapacity,

⁴³ Koç (200); Aydoğan (2013)

⁴⁴ “Amele”

- Giving all workers having at least one-year of service, a right to 1-month annual leave with pay,
- Providing all workers, working in the customs, railways, electric and tramway enterprises, a life insurance including accident and old age insurances and, payment of premiums half by workers and employers,
- Opening a dispensary in or near to the factories and institutions employing at least 250 workers,
- Organizing a committee of inspection for enterprises to inspect the working conditions and sanitary requirements,
- Providing housing or housing benefits for workers,
- Giving only Turkish workers a right to benefit from the employment opportunities,
- Prioritization of workers' children when giving a right to free education in the boarding art schools,
- The abolition of the monopoly of tobacco regime and, nationalization of privileged foreign enterprises,
- Prevention the exportation of raw materials like tobacco, cotton, corn, grape, fig, wool, mohair, leather etc. without processing,
- Prevention of collecting taxes from workers definitely.

These demands constitute a basis for the content of labour Acts enacted in the following years (Gülmez, 1983).

4.1.3. 1924 Constitution Act (April 20, 1924)

This constitution came into force because of the deficiency of the previous one after the founding of the republic. It had a liberal structure;

Despite the absence of any article affecting the working life directly, the concept of “right to work⁴⁵” took place in this constitution for the first time (Deniz, 2005). In addition, 1924 Constitution Act prohibited “forced labour” with Article 73.

4.1.4. Weekend Act (1924)⁴⁶

After the foundation of the republic, “*Weekend Act, No.394*” was the first legislative regulation affecting working life directly.

According to this Act, “*In provinces with a population of ten thousand or more, having a day off a week in enterprises like factories, manufacturing shops, shops, and trading houses etc. is obligatory.*⁴⁷” It was also stated that, “It is forbidden to run employees more than 6 days a week in government departments⁴⁸” and, “*if the enterprises violate the law, they will be closed by the municipal polices*⁴⁹” or will be served with fine⁵⁰.

However, there was no article about the payment on this day. So, this has led to the implementation of an unpaid weekend (Makal, 1999).

4.1.5. 1926, Act of Obligations

The first Act of Obligations, No.818 came into force on April 22, 1926. This Act has regulated labour relations and labour rights until 1937 in which Labour Act No. 3008 came into force (Dilik, 1985).

⁴⁵ Constitution, 1924; No. 4695, article 70.

⁴⁶ Hafta Tatili Kanunu, 1924

⁴⁷ Article 1

⁴⁸ Article 2

⁴⁹ Article 9

⁵⁰ Article 10 (amendment on 23/1/2008-5728/4)

In this Act, obligations of both employers and workers were prescribed under the title of “*Contract of employment*”⁵¹ like wages, rest days, contract termination, training, compensation etc.

4.2. The Period Between 1930 and 1946 (One-Party Period)

In 1929 economic crisis that began with the Great Depression in America, it spread to the industrialized countries; price increase, the rise in production costs, inflation and unemployment have started to occur.

This crisis has also profound implications for Turkey because of the foreign-owned enterprises and labour. Foreign-dependent economic structure inherited from the Ottoman Empire constituted an obstacle to the improvement of Turkey. Unless the radical changes were to be made, country’s economic development would never occur. Therefore, after the 1930’s, the country has tried to fix its retrogressive economic structure with systematical “statism” applications.

The implementation of "statism" applications in a planned manner, has been the start of Turkey's economic revolution (Deniz, 2012). Three basic tools were used to reach the intended targets: “planning”, “state economic enterprises” and “legal regulations”. Major nationalisation have been made in service sectors such as railway transportation, port management, electricity and water where foreign capital were dominant. State enterprises that operate different fields of economic life were established; thus, these contributed to the formation of a modern industry and modern working class in the country (Makal, 1999).

“In the state economic period, the state was the pioneer and the operator of the economy; the economy was put back on the rails, the state had a foreign trade surplus, capital accumulation was ensured working class was formed. In other words, we can say that socio-economic changes started to be seen for the first time in Turkey in this

⁵¹ Act of Obligations, No. 818; Chapter 10

period. However, organizations and workers' movements have been hampered by various penal sanctions and later by legal regulations (İleri, 2008)''.

4.2.1. 1930, Public Sanitation Act⁵²

On April 24, 1930, Public Sanitation Act which is the most comprehensive Act about worker's health and safety has enacted (İleri, 2008). Under the title of “*worker's sanitation*” in Chapter 7;

- It was to employ children as a worker under the age of twelve in factories, manufacturing shops and mines. Children aged between 12 and 16, cannot be run more than eight hours a day⁵³ and after 8 p.m.
- Workers working in mines and at nights cannot be run more than eight hours a day⁵⁴
- It was restricted to where children under the age of eighteen can work⁵⁵
- Pregnant women cannot be run in heavy works before the birth and, have a breastfeeding leave consisting of half-hour intervals twice a day for 6 months after the birth⁵⁶.

In addition, it was said that working places could enter into service after the permission of Ministry of Health.

However, the provisions of the Act have not been sufficiently effective because of the lack of an audit mechanism.

⁵² Umumi Hıfzısıhha Kanunu, 1930

⁵³ Public Health Act, No. 1593; Chapter 7, Article 173

⁵⁴ Public Health Act, No. 1593; Chapter 7, Article 175

⁵⁵ Public Health Act, No. 1593; Chapter 7, Article 176

⁵⁶ Public Health Act, No. 1593; Chapter 7, Article 177

4.2.2. The Act on the Art and Services Allocated to Turkish Citizens in Turkey (June 11, 1932)⁵⁷

The 19th century has a political importance for the Ottoman Empire; constitutionalism, the imperial edict of Gülhane, reforms and trade agreements have changed the Empire's trajectory. Ottomans could not have entered the industrialization process with Europe; thereupon it has become a commercial colony and a raw material market for them. As a result of concessions given European countries, lots of foreign-owned enterprises have been established. Western European countries (France, England and Germany were in the first place) had a corner on the market with the FDIs (foreign direct investments) including transportation (especially railway construction), banking, industry and commerce. Furthermore, foreign enterprises brought their own skilled labour from their country of origin (Lordoğlu, 2008). Consequently, Ottoman labourers have a fairly narrow working area and could not become skilled in industrial production.

Along with the Great Depression, lots of enterprises were closed, finding a job was getting difficult and the number of employees was decreased. Therefore, in line with the “national economic policy” whose foundations were laid in the İzmir Economic Congress, reconstruction process of the economy with the domestic labour force instead of foreign workers was started.

The Law on the Art and Services Allocated to Turkish Citizens in Turkey was prepared with these political objectives. As it can be inferred from the first article of the law, the presence of foreign workers even in the simplest occupations has caused the occupations to be stated clearly within the law. Additionally, the employment of foreign labourers was bound to the approval of the government (Deniz, 2016).

⁵⁷ Türk Vatandaşlarına Tahsis Edilen Sanat ve Hizmetler Hakkında Kanun

4.2.3. Membership of International Labour Organization (ILO), 1932

The ILO was created in 1919, as part of the Treaty of Versailles that ended World War I, to reflect the belief that universal and lasting peace can be accomplished only if it is based on social justice⁵⁸.

Since it was founded, ILO published 189 Conventions and 204 Recommendations. There are 8 fundamental 4 governance (priority) and 177 technical conventions.

There are 185 ILO member countries⁵⁹. Turkey has earned the right to membership of the ILO with its membership to League of Nations in 1932. Since 1932, Turkey has ratified all of the fundamental conventions, 3 of 4 governance conventions and, 48 of 177 technical conventions (Table A.1).

According to the 90th article of our Constitution, ILO Conventions ratified by Turkey carries the force of law (Albayrak, 2014).

⁵⁸ <http://www.ilo.org/global/about-the-ilo/history>

⁵⁹ Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Democratic Republic of, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Islamic Republic of, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Korea, Republic of, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Republic of, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Tanzania, United Republic, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Democratic Republic of, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

4.2.4. The Act of National and Traditional Holidays (May 27, 1935)⁶⁰

The Act of National and Traditional Holidays is the most important Act regulating all holidays (official and religious) in Turkey. It has two important alterations. The first one is the changing rest day of the week on Sunday instead of Friday. It has helped to the harmonization process in an economic sense with Europe. The second one is the regulating all of the holidays (national and religious) in the country. According to the final version of this Act (No: 2429), national, public and traditional holidays have been identified as follows:

- National Holiday on October 28 (after 13:00) and 29,
- April 23 as National Sovereignty and Children's Day,
- May 1 as Labour and Solidarity Day,
- May 19 as the Commemoration of Atatürk Youth and Sports Day,
- August 30 as Victory Day,
- Ramadan Feast, 3.5 days (with the eve day afternoon),
- The Feast of Sacrifice, 4.5 days (with the eve day afternoon),
- New Year's Day, January 1.

With the Weekend Act in 1924, workers have gained a right to rest one day in a week. However, along with the improvement of the industry and increasing number of workers, one-day weekend has failed to satisfy. So, in order to ensure the employees affected by the harsh working conditions in a minimum degree, the weekly rest period has been increased to 35 hours. Moreover, in order to stiffen the national consciousness, national days have been identified as national holidays (Deniz, 2011)

⁶⁰ Ulusal Bayram ve Genel Tatiller Hakkında Kanun

4.2.5. The Labour Act, No 3008 (1936)

The vast majority of the legislation about the labour relations enacted until the first labour law had an indirect character. In spite of some direct and indirect legislative regulations relating to employer-employee relations, working conditions in particular wages and working hours had been determining in accordance with the unilateral desire of the employer (Gülmez, Türkiye'de Çalışma İlişkileri (1936 Öncesi), 1983). Establishing a law regulating working life with general lines had been taking a long time. The main reason for this was that the economic and social structure of the country was not sufficiently clear (Makal, 1999).

Socio-economic situation (growing industry, qualified employees and working class and international treaties etc.) was in urgent need of a labour law that would collect all of the regulations affecting working life under a single roof in the form of a general protective legal circle.

Before the Labour Act No.3008 came into force, lots of law drafts (in 1924, 1929 and 1932) had been prepared. However, the common feature of them was that they could not go ahead being a draft.

Labour Act No.3008 was the first law that regulates the workers' affairs in broad terms with a social thought in our country. Contrary to the Act of Obligations (1926), employer and employee were not accepted equally. This law improved the situation of the workers in terms of wages and working hours, brought obligation to contract, imposed the necessary safety and health precautions in the workplace, introduced protective provisions for children and women workers, put forward preventive measures for workers to be removed from the workplace, subsistence wages and ordered social insurance. However, strike and lock-out were prohibited and a system based on the resolution of disputes between employers and workers by the government bodies has been adopted (Oğuzman, 1967). Besides that, it did not apply to all workers.

When we look at the general provisions of the law:

- The scope of applications of the Act was very narrow: it has excluded intellectual workers⁶¹, workplaces where less than ten workers work and some business fields⁶². However, it has included all the industry workers.
- The obligation to contract has been introduced⁶³, the types of contracts (job contract for continuous and discontinuous work, specific and non-specific job contracts, trial job contracts)⁶⁴ was defined.
- It was forbidden for women workers and man workers up to 18 years of age (including 18 years old) to work in heavy and dangerous jobs regardless of their age. In the case of hiring children up to the age of twelve to eighteen (including eighteen), it was compulsory to determine with a report that the bodies are durable. If a worker with more than eighteen years of age is to be employed in heavy and dangerous work, the physician will be determined by the physician report in the same way that the body is fit and durable⁶⁵.
- There were legislative measures regulating and protecting wages⁶⁶ and duty of paying wages in case of illness, pregnancy and compulsive reasons⁶⁷
- Subsistence wage⁶⁸ was regulated for the first time in this Act.
- Provisions regarding the termination of the employment contract⁶⁹; types of termination, probation period, the term of notice, notification indemnity, bad faith indemnity were defined.
- Severance payment⁷⁰, in the amount of 15-day, the wage was regulated for the first time in this Act.
- Provisions concerning the regulation of work and the protection of workers in Chapter 2 and 3 of Act⁷¹, were based on certain principles for the first time in Turkey with this Act. “Normal working hours”, “overworking”,

⁶¹ Labour Act No.3008, Article 1

⁶² Article 2

⁶³ Article 9

⁶⁴ Article 8

⁶⁵ Article 58-59

⁶⁶ Article 19

⁶⁷ Article 15

⁶⁸ Article 32

⁶⁹ Article 13-15

⁷⁰ Article 13-15

⁷¹ Article 35 to 62.

“rest breaks” and “night works” has been arranged to comply with the international standards.

- Weekly working hours has been determined as 48-hour: maximum working hours could be 9-hour a day in workplaces obliged to close on Saturdays at 1 pm, 8-hour a day in workplaces even work after 1 pm on Saturdays. However, this provision of the Act had been very limited until 1945. The "National Protection Act" of 1940 allows for the application of working hours as 11 hours per day. On the other hand, the statute envisaged by the law on the regulation of working time (Article 35) was only enacted in 1943 (Güzel, 1986).
- It has been adjudicated that the approval of the workers overworking and also the permission from the relevant authority should be taken for the overwork. Maximum working hours should be no more than 3 hours a day and the total number of working days with overworking hours should be no more than 90 working days a year. In addition, overwork is prohibited in jobs that require a minimum of 8 hours or less of work per day for health reasons. It is stated that overtime will be paid by the increased normal working rate per hour from 25% to 50% for each extra hour of work.
- It was prohibited to work more than 8 hours at night.
- Rest periods were set at half an hour for workers working less than 8 hours, and 1 hour for workers working 8 hours or more.
- Provisions regarding holidays were applied as stated in the Weekend Act and The Act of National and Traditional Holidays. There wasn't any provision for the payment during the holidays in Labour Act No.3008.
- Provisions regarding occupational health and safety as follows:
 - Young workers under the age of 16 have been banned from working more than 8 hours a day. On the other hand, it was also forbidden for children of the indicated age to be employed at night in any job. Children entering this group could not be employed in heavy or dangerous work. The fact that the scope of the legislation is narrowed has reduced the number of children who have benefited from protective provisions. “A study has shown that only 35,000 children could benefit

from the Act and 3.714.909 children and young people aged 7-16 years in the country were not protected by virtually any law (Güzel, 1986)”.

- The Act contained protective provisions for women:
 - It was forbidden for women workers to work at night in industrial affairs. In addition, they were prevented from being employed in underground and underwater works as child workers.
 - It was forbidden for pregnant women to work for 3 weeks for each before and after the birth due to the medical examination. These periods can be extended to twelve weeks (in total) in case of need for sanitation.
- Audit mechanism of working life and employment service of the state were defined.
- Strikes and lockouts were prohibited and it did not contain any provision concerning trade unions.
- The establishment of the “Social Insurance” was foreseen for the first time in Turkey with this Act and some of the basic principles still valid today have been determined.

Labour Act No.3008 was influenced by the current economic and political system. In spite of the negative aspects and deficiencies in the Act no. 3008, when the conditions of the period are taken into consideration, it constitutes the beginning of an important and advanced step in the social policy of the country.

4.2.6. The Act of Associations (1938)⁷²

The Act of Associations was one of the most important laws in this period. It was forbidding the associations based on classes. Thus, the establishment of the trade unions which are one of the class-based association became impossible legally (İleri, 2008).

⁷² Cemiyetler Kanunu, 1938

In addition, it was adjudicated for workers who are wage-earner from the State, Local Governments, Municipals and other Public Institutions to establish associations related to the adjective of their work.

4.2.7. Turkish National Security Act (1940)⁷³

Although Turkey did not enter the war, this law was intended to protect against the effects of the Second World War all around Europe and to take various measures. By this Act, Council of Ministers had broad authority “in exceptional circumstances with the aim of reinforcement of the state in terms of economic and national defence” and regulations on various areas of economic life had been introduced.

Many Acts including Labour Act No.3008 regulating working life had been suspended with this Act. The most important regulations regarding working life as follows:

- The obligation of paid work,
- Prohibition of abandonment of office,
- Increasing working hours as 11-hour a day,
- Removing week-ends,
- Removing protective provisions for women and child workers.

Many workers were forced to work with low wages and long working hours and, faced with serious health problems with this Act (Makal, 2005). This situation had continued until the end of the war.

⁷³ Milli Korunma Kanunu, 1940

4.3. Multi-party Period (1946-1960)

After the Second World War, Turkey entered a period of significant changes in terms of economic, political and labour relations. The most important one of these changes was moving into the multi-party system (Makal, 2004).

Fundamental regulations taking place in this period as follows:

- In 1945, Ministry of Labour was enacted.
- In 1945, Worker's Insurance Institution was enacted.
- In 1946, Employment Institution was enacted.
- In 1946, it became possible to establish associations and societies based on class with the amendments in Act of Associations of 1938.
- In 1947, The Act of Trade Unions, regulating the organizations and activities of trade unions in Turkey for the first time, was enacted.
- In 1949, Retirement Fund was enacted.
- In 1950, The Act of Labour Courts, responsible for solving the legal disputes arising from the employment contract or any claim based on the Labour Act, was enacted.
- In 1950, Disease and Maternity Insurance Act⁷⁴ was enacted.
- In 1951, The Act on Payment of Wages to the Workers in Week-ends and General Holidays⁷⁵ was enacted.
- In 1952, Press and Media Labour Act was enacted.
- In 1953, The Act on Service Provisions of Waiters and Similar Workers⁷⁶ was enacted.
- In 1954, The Act of Launch Breaks was enacted.
- In 1954, Maritime Labour Act was enacted.
- In 1956, The Act on the Additional Treatment of Employees in the State and Its Affiliated Institutions⁷⁷ was enacted.

⁷⁴ Hastalık ve Analık Sigortası Kanunu

⁷⁵ İşçilere Hafta Tatili Ve Genel Tatil Günlerinde Ücret Ödenmesi Hakkında Kanun

⁷⁶ Garson Ve Benzeri İşçilerin Hizmet Karşılıkları Hakkında Kanun

⁷⁷ Devlet Ve Ona Bağlı Müesseselerde Çalışan İşçilere İlave Tediye Yapilmasi Hakkında Kanun

- In 1960, The Act of Annual Paid Leave was enacted.

4.3.1. The Act of Trade Unions No.5018 (1947)

Until 1947, unionization was banned both actually and legally. Firstly, there were some restrictions and prohibitions introduced by “Ottoman Strike Act” in 1909. In addition to The Act of Associations in 1938, the scope of these prohibitions was expanded and sanctions were imposed on those who violated the law (Gülmez, 1981).

In 1947, the union right was granted to those who entered into the scope of the Labour Act No. 3008 with this Act. Thus, workers have gained a right to established unions to solve their problems regarding labour relations. However, the prohibition of strike and lock-out had still been continuing.

According to article 5 of the Act, trade unions are prohibited from engaging in politics, acting in the activities of any political organization, acting against national interests and pursuing international goals (Güngör, 1996).

The Act allowed for an intense administrative and judicial control over the unions rather than the formation of the independent union system (Makal, 2004).

4.3.2. The Act on Payment of Wages to the Workers in Week-ends and General Holidays No. 5837 (1951)

According to the regulations of the Act, in workplaces where the Labor Act applies, workers working regularly for 6-day of the week in accordance with their daily work schedule will be paid half of their daily wages in weekends without a work obligation⁷⁸.

⁷⁸ The Act on Payment of Wages to the Workers in Week-ends and General Holidays No. 5837; Article 1-2

In addition, they will be paid half of their daily wages in public holidays mentioned in National Holiday and General Holiday Act No. 2739. Besides that, if they work without a holiday, they will be paid 50% more⁷⁹.

These wage amounts were rearranged in 1956 with the Act No.6734 as 100% of the workers' wages.

4.3.3. Press and Media Labour Act No. 5953 (1952)

Labour Act of 1936, took only workers who are working physically or both mentally and physically to the scope. So, it excluded workers working mentally.

Media Labour Act was enacted for media workers, as one group of those workers. However, the rights provided to media workers were better than the rights in Labour Act of 1936. Media, one of the most important instruments in the formation of the public opinion, had been receiving a great deal of attention in the multi-party regime and, ruling party wanted to get along with journalists. It is not surprising that journalists who are the "strongest and most effective" sections of opinion workers in this framework have more favourable working conditions than other employees (İleri, 2008).

According to this Act:

- Severance payment is a monthly wage of journalists⁸⁰ (twice the amount specified in Labour Act of 1936)
- If the journalists were paid late, they would receive 2% more of their daily wages⁸¹.
- If the journalist's liberty was restricted due to their newspaper article, they would continue to be paid⁸².

⁷⁹ The Act on Payment of Wages to the Workers in Week-ends and General Holidays No. 5837; Article 3

⁸⁰ Media Labour Act; Article 6

⁸¹ Media Labour Act; Article 14

⁸² Media Labour Act; Article 17

- At the point of the journalist's death, their family would get a death indemnity at a quarterly rate⁸³.
- A journalist working in a daily journal and has at least one year of seniority will be granted four weeks holiday with full payment per year, if the period is between 10 and 20 years, this period will be 5 weeks⁸⁴.

4.3.4. Maritime Labour Act No. 6369 (1954)

Marine workers working under difficult conditions had been excluded from the scope of the Labour Act of 1936. With the Maritime Labour Act, they have been also taken into protective legislation. However, as in Labour Act of 1936, this Act has some restrictions on the scope of its application fields⁸⁵.

Most of the regulations in Labour Act of 1936 were applied with this Act. However, weekly working hours were determined as 70-hour a week which were above the international standards.

In addition, marine workers were gained a right to annual paid leave (1 month) before the workers who were in the scope of the Act No.3008.

4.3.5. The Act of Annual Paid Leave (1960)

Annual Paid Leaves had finally come into effect with this Act as a result of the developments taking place over a long period of time regarding paid leaves. In Media and Maritime Labour Act, journalists and marine workers had gained this right, however, the workers in the scope of Labour Act of 1936 could not have benefitted from it.

⁸³ Media Labour Act; Article 18

⁸⁴ Media Labour Act; Article 21

⁸⁵ Media Labour Act; Article 1

According to the Article 3, workers who fulfilled the conditions of work for one year from the date of employment contract were entitled to annual paid leave⁸⁶. Workers having service period 1-5 years have 12 days, 5-15 years have 18 days, more than 15 years have 24 days of annual paid leave. Child workers under the age of 18, shall not be less than 18 days, and it could be increased by labour contracts⁸⁷.

4.4. Period Between 1960 and 1980

Following the military intervention in 1960, a new Constitution was adopted, which included the principal of social state for the first time in the history of Turkish Republic. In the light of this principle, the scope of economic and social rights and freedoms were expanded, including the freedom of association

- In 1961, Constitution Act was enacted.
- In 1963, The Act of Trade Unions No. 274 was enacted.
- In 1963, The Act of Collective Bargaining, Strike and Lock-out, No. 275 was enacted.
- In 1964, The Act of Social Insurance, No. 506 was enacted.
- In 1965, The Act of Civil Servants' No. 657 was enacted.
- In 1965, The Act of Civil Servants' Trade Unions No. 624 was enacted.
- In 1967, Maritime Labour Act No. 854 was enacted.
- In 1967, Labour Act No. 931 was enacted.
- In 1970, The Act No. 1317 was enacted.
- In 1971, Labour Act No. 1475 was enacted.
- In 1976, Act No. 2022, Respecting the Grant of Pensions to Turkish Who Are Over the Age of 65 and Who Are Destitute, Infirm and Without Any Means of Support⁸⁸ was enacted.

⁸⁶ The Act of Annual Paid Leave; Article 3

⁸⁷ The Act of Annual Paid Leave; Article 5

⁸⁸ 65 Yaşını Doldurmuş Muhtaç, Güçsüz ve Kimsesiz Türk Vatandaşlarına Aylık Bağlanması Hakkında Kanun

4.4.1. 1961 Constitution Act

1961 Constitution Act was a radical change in terms of social policy and labour relations in Turkey. This act not only included fundamental rights and freedoms but also gave a wide coverage to economic and social rights.

- Wage justice⁸⁹,
- Right to establish a trade union⁹⁰,
- Right to collective bargaining and strike⁹¹,
- Right to elect and to be elected⁹²,
- Right to found political parties⁹³

According to the Article 10, The State has been given the duty to provide all the necessary conditions for the use of rights and freedoms. Thus, “social state” concept was accepted.

4.4.2. The Act of Trade Unions, No. 274 and The Act of Collective Bargaining, Strike and Lock-out, No. 275 (1963)

After the establishment of the 1961 Constitution Act, regulations regarding trade unions, collective bargaining and strike were made in detail.

With The Act of Trade Unions, No. 274 had entered into force, Act No. 5018 was repealed. The restrictions imposed by the previous law were abolished by this law, and unions’ field of activity has expanded. Unions gained a right to become a member of international organizations. “Membership fees⁹⁴” has entered into legislation for the first time with this Act.

⁸⁹ 1961 Constitution Act; Article 45

⁹⁰ 1961 Constitution Act; Article 46

⁹¹ 1961 Constitution Act; Article 47

⁹² 1961 Constitution Act; Article 55

⁹³ 1961 Constitution Act; Article 56

⁹⁴ The Act of Trade Unions, No. 274, Article 23

With The Act of Collective Bargaining, Strike and Lock-out, prohibition of strike and lock-out were lifted. In addition, labour and employer unions had gained a right to collective bargaining authorization.

With these regulations, labour conditions were getting better, real wages were in the tendency to increase, so important steps have been taken to approach to fair distribution of income became possible (Talas, 1992).

4.4.3. Civil Servants' Act No. 657 (1965)

This Act regulates civil servants' terms of service, qualifications, appointments and training, improvements and promotions, duties, rights, obligations and responsibilities, pensions, allowances and other personal affairs.⁹⁵

There is a distinction regarding the concept of the employees between the Labour Acts and this Act: while employees are called “workers” in Labour Acts, they are called “Civil Servants” in Act No. 657.

Services are classified separately according to business field⁹⁶ and seniority is also regulated. The grades that can be taken according to the education status have been determined so that personal development is promoted.

There is a restriction regarding age and civilization to working as a civil servant. According to the Article 40, *“In general, those who complete the age of 18 can be a civil servant.”* However, persons who have completed a vocational or art school may be appointed to civil servants with the condition that they have completed at least 15 years of age and that they have a declaration of maturity determined in accordance with Article 12 of the Turkish Civil Code. And, only Turkish Citizens can be a civil servant.

⁹⁵ Civil Servants' Act No. 657, Article 2

⁹⁶ Civil Servants' Act No. 657, Article 36

According to the Article 22, Civil Servants have a right to establish unions⁹⁷. However, they are banned to strike⁹⁸. In addition, there are prohibitions on trade and other profitable activities, accepting gifts and disclosure of confidential information.

Civil Servants' weekly working hours are determined as 40-hour a week⁹⁹ and they also have more social rights regarding annual paid leave periods¹⁰⁰, sick leaves¹⁰¹ and unpaid leaves¹⁰² than workers in the scope of the Labour Codes.

4.4.4. Labour Act No. 931 (1967)

There had not been a big change in Labour Act No. 931 compared to the old one. However, it brought new provisions to the legislation (Oğuzman, 1967):

- It removed the distinction between physical and mental workers.
- It expanded the scope of the application field regarding workplaces. It covered all the workplaces except defined in article 5, no matter how many workers were employed.
- It imposed the obligation of employ former convicted and disabled workers.
- It imposed the obligation of providing labour and identity documents to the workers¹⁰³.
- The determination of the subsistence wage has been given to a central "subsistence wage determination" commission instead of a local commission¹⁰⁴.
- Workers are paid 50% more of their wage in case of overwork¹⁰⁵.

⁹⁷ In 1961 Constitution Act, union rights were granted to civil servants for the first time⁹⁷. They began to use these rights with the Act No. 657⁹⁷ and Act No. 624 in 1965. However, with the Constitutional amendment made after 12 March 1971, civil servants lost their rights again. In 1982 Constitution Act, no arrangements were made for civil servants to join unions and to form trade unions. Thus, this situation continued until 1995.

⁹⁸ Civil Servants' Act No. 657, Article 27

⁹⁹ Civil Servants' Act No. 657, Article 99

¹⁰⁰ Civil Servants' Act No. 657, Article 102

¹⁰¹ Civil Servants' Act No. 657, Article 105

¹⁰² Civil Servants' Act No. 657, Article 108

¹⁰³ Labour Act No. 931, Article 21

¹⁰⁴ Labour Act No. 931, Article 33

¹⁰⁵ Labour Act No. 931, Article 36-37

- The weekly holiday was determined to be 2 days including Saturday and Sunday. Accordingly, it was accepted that the working time of 48 hours per week could be divided into 5 days¹⁰⁶.
- Maternity leave was increased to 12 weeks (6 weeks each before and after the birth)¹⁰⁷.
- When the work posing danger was stopped by the authorized officer, the employer was obliged to pay any unemployed worker or hire them in other suitable works for their occupations as their wages would not be diminished¹⁰⁸.
- It was determined to pay severance payment to worker's successors in case of death.
- Collective redundancy was accepted in case of minimizing business or reducing the number of workers¹⁰⁹. However, it was extremely vulnerable to abuse.

Labour Act No.931 was revoked by the Constitutional Court by finding it procedurally contrary to the Constitution.

4.4.5. Labour Act No. 1475 (1971)

The Labor Act No. 1475 essentially adopted the provisions of the Act No. 931.

- Weekly working hours were reduced to 45 hours a week¹¹⁰.
- Under the heading of "Occupational Health and Safety", it had direct provisions regarding health and safety¹¹¹.
- Severance payment was increased to the amount of 30-day wage of workers¹¹².

¹⁰⁶ Labour Act No. 931, Article 61

¹⁰⁷ Labour Act No. 931, Article 70

¹⁰⁸ Labour Act No. 931, Article 75

¹⁰⁹ Labour Act No. 931, Article 24

¹¹⁰ Labour Act No. 1475, Article 61

¹¹¹ Labour Act No. 1475, Article 73 to 83

¹¹² Labour Act No. 1475, Article 14

- New regulations have been introduced in the application of severance payment. According to Article 14 of the Act, the conditions of workers entitled to get the severance payment in case of leaving the work as follows:
 - The termination of the employment contract by the employer besides the conditions defined in the Article 17,
 - The termination of the employment contract by worker in case of the conditions defined in the Article 16,
 - The termination of the employment contract due to regular military service,
 - The termination of the employment contract for the purpose of receiving old age, retirement or invalidity pension or collective payment from legally established institutions or cases to which the worker is affiliated,
 - The termination of the employment contract by woman worker with her own consent within a year from the date of her marriage,
 - The termination of the employment contract in case of death.

It is not possible for a worker who voluntarily leaves his/her job to gain a severance payment. However, according to the Article 14 of the Labour Act and with a provision added to the same Article by Act No. 4447 in 1999, it has been made possible in some cases. When the workers complete the insurance period and the number of the premium payment days and, provide them with the document obtained from Social Security Institution, they can demand from their employer to get this payment (Karacan, 2006).

Some provisions of Labour Act No. 1475 have not adequately reflected contemporary developments (İleri, 2008). Therefore, the Act was revoked with the enforcement of the Act No. 4857, after 32 years.

4.5. After the 1980s

- In 1981, Act No. 2429, National and General Holidays were enacted.
- In 1982, Constitution Act was enacted.
- In 1983, The Act of Trade Unions, No. 2821 was enacted.
- In 1983, The Act of Collective Bargaining, Strike and Lock-out, No. 2822 was enacted.
- In 1983, The Act of Associations was enacted.
- In 1999, The Act of Unemployment Insurance was enacted.
- In 2001, The Act of State Personnel Union was enacted.
- In 2001, Act No. 4688, Civil Servants' Trade Unions were enacted.
- In 2003, Labour Act No. 4857 was enacted.
- In 2003, Act No. 4817, Work Permits for Foreigners was enacted.
- In 2006, Act No. 5502, Social Security Institution was enacted.
- In 2011, Social Security and General Health Insurance Act¹¹³ No. 5510 was enacted.
- In 2012, Act No. 6356, Trade Unions and Collective Labour Agreements was enacted.
- In 2012, Act No. 6331, Occupational Health and Safety was enacted.

4.5.1. 1982 Constitution Act

1961 Constitution Act suspended with the military coup of September 12, 1980. Trade union activities have been halted and widespread strikes in progress have been terminated. By Act No. 2364, collective bargaining was suspended until 1984 and compulsory arbitration was applied (Çelik, 2010).

1982 Constitution Act was enacted on November 7, 1982. Although it seemed to have a similar concept with the 1961 Act regarding labour relations, 1982

¹¹³ Sosyal Sigortalar ve Genel Sağlık Sigortası Kanunu

Constitution Act introduced significant restrictions on trade union establishment, trade union activity, collective bargaining and strike rights.

“While the 1961 constitution was “based on” human rights, the 1982 constitution “respects” human rights (İleri, 2008)”.

4.5.2. The Act on Trade Unions, No. 2821 and The Act on Collective Bargaining, Strike and Lock-out, No. 2822

“The Act on Trade Unions No. 2821 and the Act on Collective Labour Agreement, Strike and Lockout No. 2822 that were enacted in 1983 included quite a number of restrictive provisions. With the help of these laws, National Security Council, which consisted of military officials, aimed at controlling the industrial relations system as the ruling authority. These limitations have adversely affected the pace of development of industrial labour relations for the last thirty years. Nevertheless, the progress of trade unionism continued slowly (Su&Yüksel et.al, 2013).”

These Acts were widely criticized as to be "the acts of the coup period". As a result of complaints made by trade unions and confederations, Application Committee of ILO has criticized that some provisions of the Acts and practices were contrary to the Conventions Nos. 87 and 98 that Turkey has signed. Also, in the EU Progress Reports published annually in the progress of Turkey's accession to the European Union, it was stated that some issues related to the Acts should be aligned with the *acquis* (Pirler, 2013).

The wages of workers had been reduced rapidly and Turkey has been transformed into a "cheap labour paradise". The unions' effectiveness against political authority had become weaker and they had not been effective in labour-related regulations (Özveri, 2012).

4.5.3. The Act of Unemployment Insurance (1999)

The Act of Unemployment Insurance established in 25.08.1999 was the first regulation regarding unemployment insurance in Turkey.

The main objective of the unemployment insurance is to protect the individual against poverty after the realization of the unemployment risk. While the Act protects the unemployed insured against poverty by making a payment, also the following services and payments are provided to them¹¹⁴:

- Unemployment compensation,
- Insurance premiums to be paid pursuant to Act No. 5510 (general health insurance premiums)
- Finding a new job,
- Courses and programs within the scope of active labour services

There is no doubt that unemployment insurance includes the aim of improving employment as well as preventing the loss of income of the insured unemployed (Tozan, 2013).

Workers who work under a service contract in a workplace covered by this Act and who have paid the insurance premium during the period of his employment have been taken under the scope of the Act¹¹⁵. Workers who are out of scope were defined in the Article 46.

The insured unemployed is obliged to recourse to the Turkish Employment Organization¹¹⁶ within 30 days from the day following the end of the employment contract for the purpose of benefiting from the unemployment pay and benefits¹¹⁷.

¹¹⁴ The Act of Unemployment Insurance, Article 48

¹¹⁵ The Act of Unemployment Insurance, Article 47

¹¹⁶ İŞKUR

¹¹⁷ The Act of Unemployment Insurance, Article 48

In the last three years, workers who have worked continuously by paying premiums for the last 120 days prior to the termination of the service contract are granted unemployment benefit with the following periods¹¹⁸:

- 180 days for insured unemployed who have worked for 600 days and paid unemployment insurance premium,
- 240 days for insured unemployed who have worked for 900 days and paid unemployment insurance premium,
- 300 days for insured unemployed who work as insured for 1080 days and paid unemployment insurance premium.

4.5.4. Labour Act No. 4857 (2003)

Labour Act No. 4857 was enacted in 10.06.2003 and is still in force. It emphasized the changes foreseen in the working norms of Turkey in the harmonization process of the European Union.

- All articles except Article 14 in Act No. 1475 have been revoked by this Act.
- The scope of the Act has been expanded and its aim¹¹⁹ has been revealed, so it has gained “*a general labour Act identity*” in Turkish Labor Law.
- Workplaces, where more than 50 workers are employed in agriculture and forestry, have been included in the scope of the Act¹²⁰.
- The principle of equality has been included in the Turkish Labour Law for the first time in accordance with the European Labor Law norms, with the negative and positive legal dimension (Kaya, 2007). All of the discrimination in labour relations regarding language, race, gender, political thought, philosophical belief, religion and sect, etc. has been prohibited¹²¹.

¹¹⁸ The Act of Unemployment Insurance, Article 50

¹¹⁹ Labour Act No. 4857, Article 1

¹²⁰ Labour Act No. 4857, Article 1 and 4

¹²¹ Labour Act No. 4857, Article 5

- Act No. 4857 has not introduced a new regulation on severance pay. Article 14 of Act No. 1475 has been still valid.
- Act No. 4857, which envisages a change in the Labour Legislation within the framework of universal norms, has introduced new regulations concerning flexible work¹²², temporary work¹²³, partial work¹²⁴, call work¹²⁵, compensation work, periodic work and short work (Kaya, 2007).
- Another important regulation made by the Labour Act No. 4857 is the creation of a “*wage guarantee fund*”¹²⁶.
- According to the Act, all kinds of workers working under the service contract and not covered by this Act have been included in the scope of a subsistence wage¹²⁷.
- The number of annual paid leave periods was increased by 2 days in this Act differently from the Act No. 1475.

Accordingly, these periods cannot be less than as follows¹²⁸:

- From 1 to 5 years (including 5 years); 14 days,
- From 5 to 15 years; 20 days,
- 15 years (including 15 years) or more; 26 days

However, the period of paid annual leave cannot be less than twenty days for workers under the age of 18 (including 18) and over the age of 55 (including 55).

- According to the Act, obligation of health report was introduced for workers working at night¹²⁹.
- The concept of “*job security*” entered into the Turkish Labour Law in 2002 with the Act No. 4773 has been rearranged in terms of conditions¹³⁰.
- Maternity leave was increased to 16 weeks (8 weeks each before and after the birth)¹³¹.

¹²² Labour Act No. 4857, Article 63

¹²³ Labour Act No. 4857, Article 7

¹²⁴ Labour Act No. 4857, Article 13

¹²⁵ Labour Act No. 4857, Article 14

¹²⁶ Labour Act No. 4857, Article 33

¹²⁷ Labour Act No. 4857, Article 39

¹²⁸ Labour Act No. 4857, Article 53

¹²⁹ Labour Act No. 4857, Article 69

¹³⁰ Labour Act No. 4857, Article 69

¹³¹ Labour Act No. 4857, Article 74

4.5.5. Act No. 5510 on Social Security and General Health Insurance (2006)

“In general, the social security system in Turkey has developed considerably in the process but has also developed many problems in itself. Structural problems related to employment-oriented social insurance, structural problems of labour markets, changes in employment patterns, increasing unemployment, problems with financing arising from weaknesses in the management system and not considering the system from a holistic point of view revealed the need for restructuring in the system (Gökbayrak, 2010).”

In 2001, Act No. 4632 on Individual Savings and Investment System which was a major development in the improvement of the public social security system and Turkish insurance market was enacted. The aim was to ensure that both individuals get a higher income in their old ages and creating new funds for capital and money markets.

The Retirement Fund, Social Security Organization for Artisans and the Self-Employed and Social Insurance Institution were transferred to the Social Security Institution (SSI) by Act No. 5502 in 2006.

4.5.6. Act No. 6331, Occupational Health and Safety (2012)

Turkey is one of the countries with the highest statistics in terms of work accidents. Labour Acts had the provisions regarding occupational health and safety, however, it needed a specific legislation and exclusive attention.

Table 4.1: Fatal occupational injuries per 100,000 workers (%)

Country	1990	1995	2000	2005	2010	2011	2012
Australia	-	6	2	2	2	2	2
Austria	7.9	6.4	5.3	4.6	-	2.6	3.4
Canada	8.5	5.6	3.4	3	2.2	2.1	-
Czech Republic	-	5.5	4.9	3.7	2.8	-	-
Denmark	2.6	3	2	-	-	2	2
Estonia	12.1	11.6	4.4	4	3	3.1	2.2
Finland	3.5	2.6	2.3	2.4	1.6	1.2	-
France	8.4	4.9	4.4	2.6	-	-	-
Germany	5.1	4.2	3	2.4	1.8	-	-
Hungary	17.2	4.7	4	3.2	2.9	2.1	1.6
Ireland	-	7.3	4.2	3.3	-	2.7	-
Israel	-	-	4.3	3	2	2.4	2.1
Italy	-	7	7	5	-	-	-
Mexico	11	15	14	11	10	10.5	9.8
Norway	-	-	2.5	2.1	1.8	2.1	1.4
Poland	6.5	5.5	5.2	4.4	3.9	3.5	3
Slovenia	6.4	4.7	3.3	2.6	-	2.2	-
Spain	14.2	10.1	9.2	4.5	2.3	2.3	1.9
Sweden	-	2.3	1.5	1.6	1	1	1
Switzerland	5.3	3.1	2.3	1.3	-	5	-
Turkey	43.5	20.8	24.6	15.8	20.8	15.5	6.2
United Kingdom	1.6	1.1	0.9	0.6	0.6	0.6	-
United States	-	5	4	4	3.5	3.5	3.2

Source: ILOSTAT

The Law on Occupational Health and Safety No. 6331 dated June 20, 2012, has entered into force and the issue of occupational health and safety is in our legal system as a separate law and legislation for the first time. The purpose of this Act is regulating the duties, authorities, responsibilities, rights and obligations of employers and employees in order to improve the existing health and safety conditions, providing occupational health and safety at workplaces¹³².

One of the most important improvements introduced by the Act is the provision of a direct representation of employees in matters related to occupational health and safety at workplaces¹³³.

There are many obligations regarding employers as follows:

- Employers are obliged to ensure the health and safety of employees¹³⁴.
- Employees should get the medical examination at regular intervals determined by the ministry¹³⁵.

¹³² Act No. 6331, Article 1

¹³³ Act No. 6331, Article 3

¹³⁴ Act No. 6331, Article 4

¹³⁵ Act No. 6331, Article 15

- The employer is obliged to hire a job security specialist, occupational physician and medical personnel¹³⁶.
- The employer is obliged to perform or take a risk assessment in terms of occupational health and safety¹³⁷.
- The employer is obliged to make an emergency plan and receive training for the personnel in case of an emergency.

4.5.7. Act No. 6356 on Trade Unions and Collective Labour Agreements (2012)

In 2012, a new Act No. 6356 ‘Trade Union and Collective Bargaining’, replacing the old Act. 2821(Trade Union Act) and Act. 2822 (Collective Labour Agreement, Strike and Lock-Out Act) entered into force on November the 7th, 2012.

Regulations brought with this Act are as follows (Su&Yuksel et.all, 2013):

- The limitations on the establishment of trade unions are removed.
- The scope of prohibitions on strikes and lock-outs are narrowed.
- The requirements for becoming a founding member of a trade union are eased.
- The Public Notary requirement for the new membership and withdrawal from membership is repealed.
- New regulations like “framework contract” and “group collective agreement” were introduced
- The upper limit for the membership dues is cancelled and leaving it to the statutes of the trade unions.
- Continuing to be a trade union member for the periods of temporary unemployment is enabled.

¹³⁶ Act No. 6331, Article 6

¹³⁷ Act No. 6331, Article 10

- The procedures for trade unions to be a founder of international employee/employer organizations, to send their members/representatives, to open up foreign branches have been simplified.
- Protection of managers of trade unions is reorganized and strengthened.
- Guarantees for the freedom of trade unions are strengthened.
- Legal personality of trade unions is protected by the recognition of the principle of the individuality of crimes for trade union managers.
- The branch of activity of trade unions will be determined by themselves in their own statutes rather than solely by the government.
- In the cases of breaches of the Law No. 6356, imprisonment is no longer applicable; rather the administrative fines are to be applied.

The current laws governing working relationships today are as follows:

- Act No. 5953, Press and Media Labour Act (1952)
- Act no. 193, Income Tax (1960)
- Act No. 488, Stamp Tax (1964)
- Act No. 657, The Act of Civil Servants' (1965)
- Act No. 854, Maritime Labour (1967)
- Act No. 2022, Respecting the Grant of Pensions to Turkish Who Are Over the Age of 65 and Who Are Destitute, Infirm and Without Any Means of Support. (1976)
- Act No. 2429, National and General Holidays (1981)
- Act No. 2709, Constitution Act (1982)
- Act No. 4447, Unemployment Insurance (1999)
- Act No. 4688, Civil Servants' Trade Unions (2001)
- Act No. Social Security Institution (2001)
- Act No. 4721, Turkish Civil Code (2001)
- Act No. 4817, Work Permits for Foreigners (2003)
- Labour Act No. 4857 (2003)
- Act No. 2004, Code of Execution and Bankruptcy (2004)
- Act No. 5510, Social Security and General Health Insurance (2006)
- Act No. 6102, Turkish Commercial Code (2011)
- Social Security and Universal Health Insurance Act No. 5510 (2011)

- Act No. 6098, Turkish Code of Obligations (2011)
- Act No. 6327, Making Amendments on Private Pension Savings and Investment System (2012)
- Act No. 6356 on Trade Unions and Collective Labour Agreements. (2012)

5. A MACRO VIEW OF LABOUR IN TURKEY

After the legal examination of the Turkish Labour Codes, the statistics regarding labour force situation of Turkey will be interpreted.

5.1. Labour Force

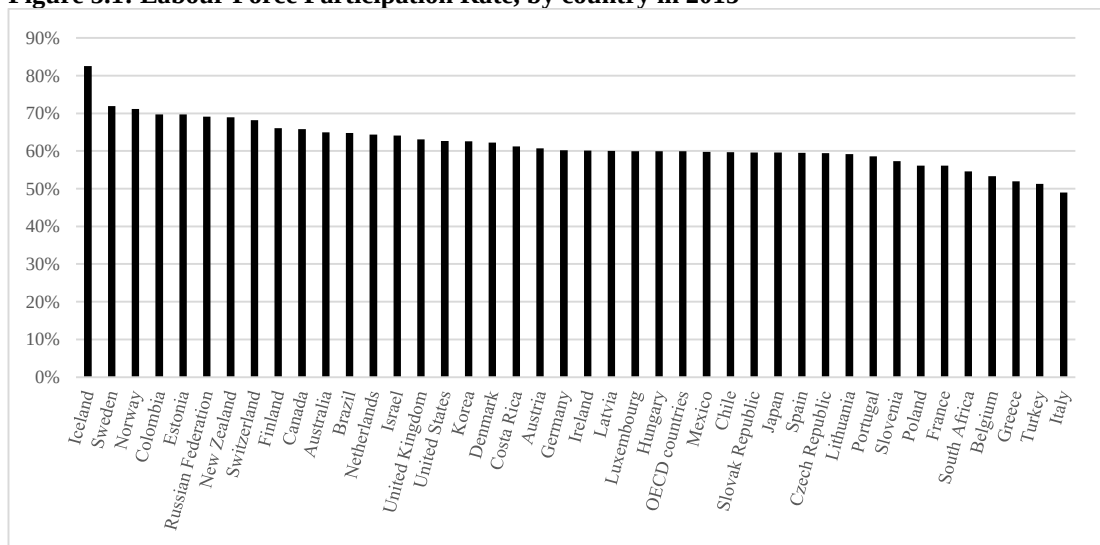
It can be seen that after the 2001 economic crisis while the unemployment rate was increasing, the labour force participation rate began to decrease. In 2009, unemployment had the highest rate of 14%. This increase was explained by the non-agricultural unemployment rate of 17.4 percent that was 3.8 percentage higher than the previous year. Conversely, the labour force participation rate has been increasing year by year after 2009.

Table 5.1: Labour Force Participation, Total

Year	Labour force (Thousand person, 15+ age)	Employed (Thousand person, 15+ age)	Unemployment rate (%)	Labour force participation rate (%)
1996	22,697	21,194	6.6	53.7
1997	22,755	21,204	6.8	52.6
1998	23,385	21,779	6.9	52.8
1999	23,878	22,048	7.7	52.7
2000	23,078	21,581	6.5	49.9
2001	23,491	21,524	8.4	49.8
2002	23,818	21,354	10.3	49.6
2003	23,640	21,147	10.5	48.3
2004	22,016	19,632	10.8	46.3
2005	22,454	20,067	10.6	46.4
2006	22,751	20,423	10.2	46.3
2007	23,114	20,738	10.3	46.2
2008	23,805	21,194	11.0	46.9
2009	24,748	21,277	14.0	47.9
2010	25,641	22,594	11.9	48.8
2011	26,725	24,110	9.8	49.9
2012	27,339	24,821	9.2	50.0
2013	28,271	25,524	9.7	50.8
2014	28,786	25,933	9.9	50.5
2015	29,678	26,621	10.3	51.3

Source: TURKSTAT Labour Statistics

Labour force participation rates among OECD countries are shown in Figure 5.1; Turkey is in the second last row with 51 per cent in 2015.

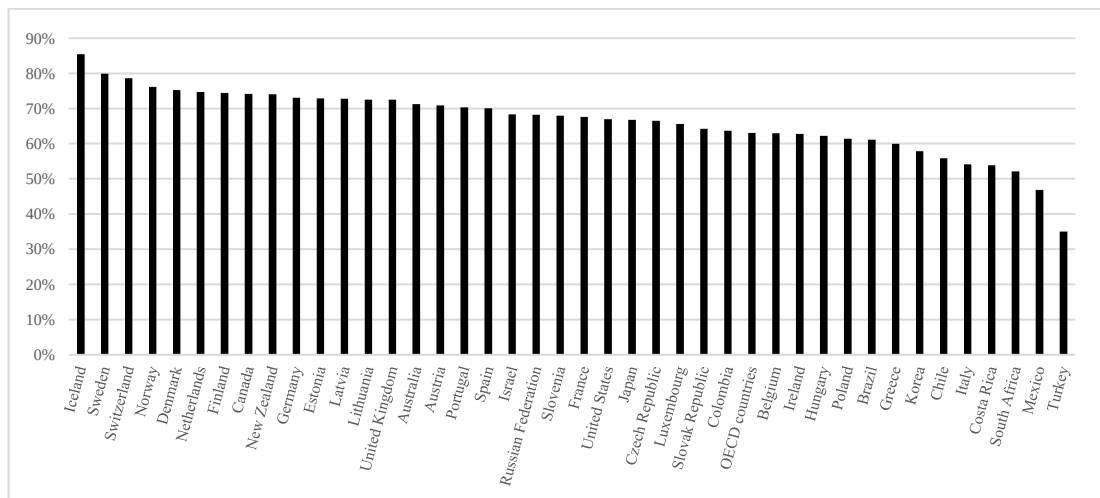
Figure 5.1: Labour Force Participation Rate, by country in 2015

Source: OECD Statistics

Figure 5.2: Labour Force Participation Rate (%), by sex

Source: OECD Statistics

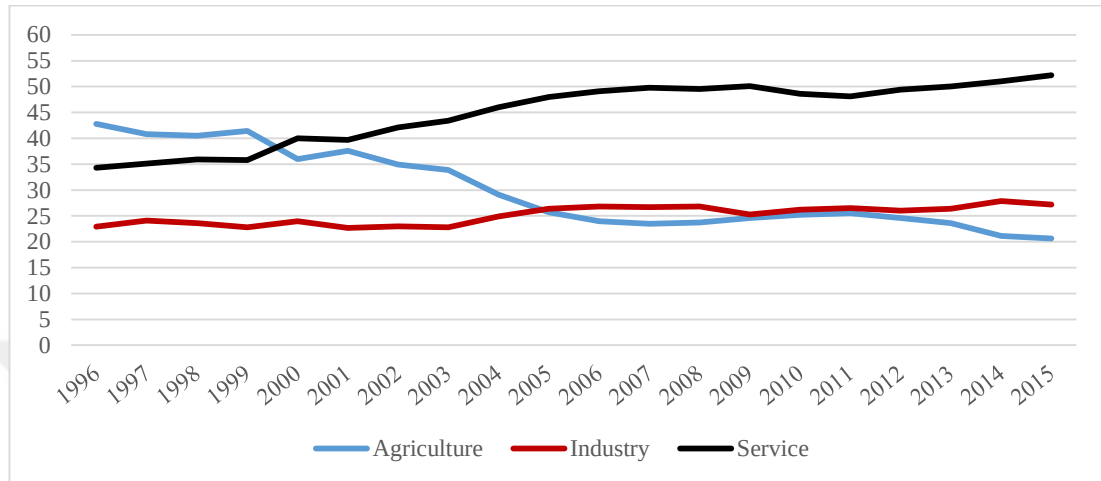
As seen in Figure 5.2 that the labor force participation rate of women is about one third of that of men. Gender discrimination, preventing women from getting adequate education, flexible and unsecured working conditions are interpreted as the greatest cause of this in our country (Çakır, 2008). Women prefer to be the out of the labour force, and do the domestic works at home.

Figure 5.3: Labour Force Participation Rate of Women among OECD Countries, 2015

Source: OECD Statistics

When we compared this ratio among the OECD countries for women at the age between 15 and 64, Turkey is at the end row (Figure 5.3).

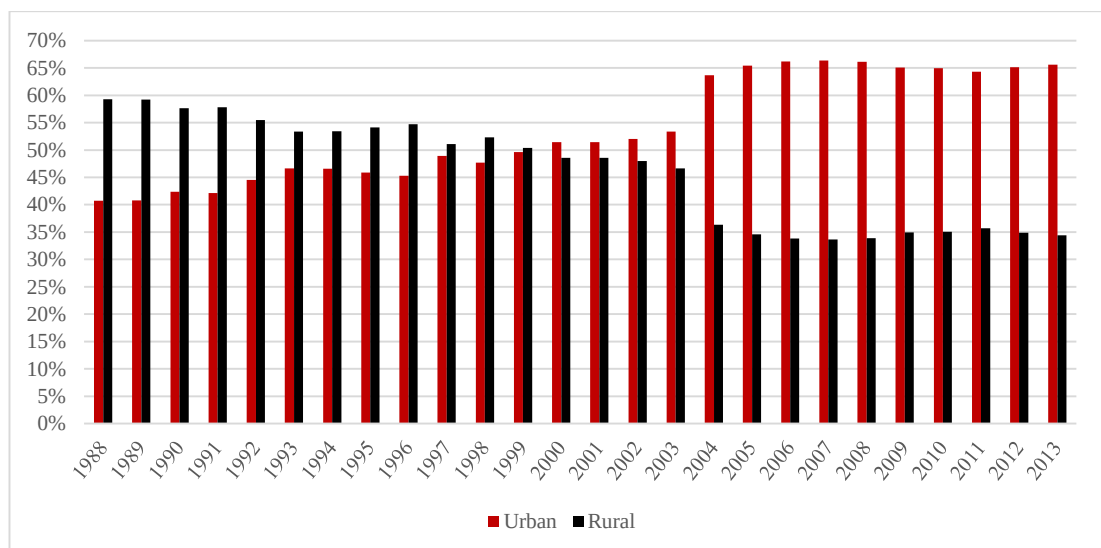
Figure 5.4: Employment by Economic Activity (%)



Source: TURKSTAT Labour Statistics

Figure 5.4 shows that while agricultural labour force had been dominant, after 2000, a rapid increase in the service sector seems to have left behind agriculture.

Figure 5.5: Urban/Rural Employment Share, by years

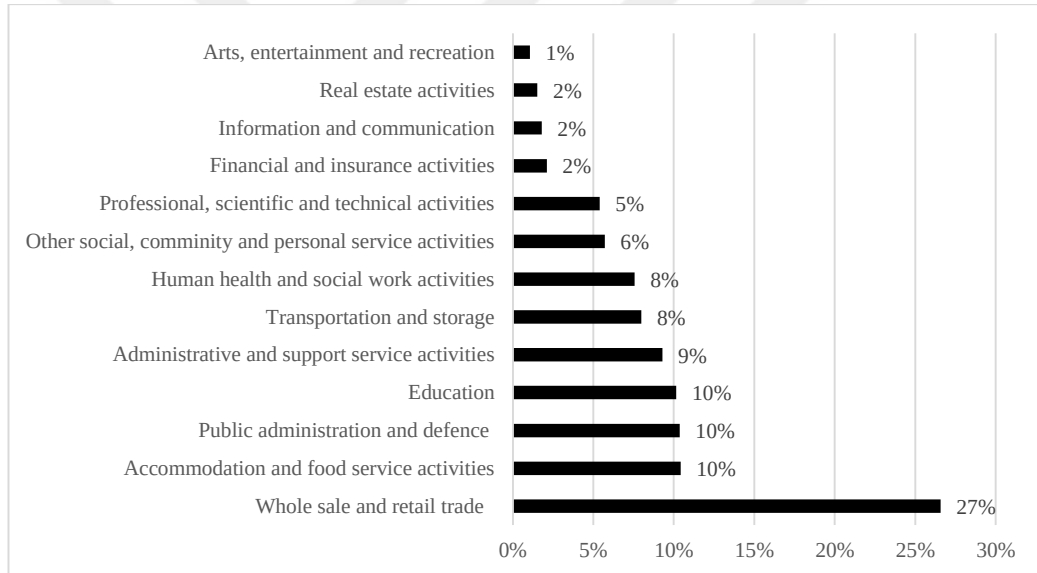


Source: TURKSTAT, Labour Force Statistics

Since the early 2000s, agricultural employment has begun to crash to the floor. Also, a significant employment immigration from the rural to the urban has been seen in this period. Rural employment share has been half of the urbans for the last 10 years' period (Figure 5.5).

The share of the service sector has been leading the economy since the early 2000s. In 2015, it had the 52% share of the total employment. While wholesale and retail trade had the lion's share in the service sector; education, public administration and defence, accommodation and food service activities were following it with the 10% shares.

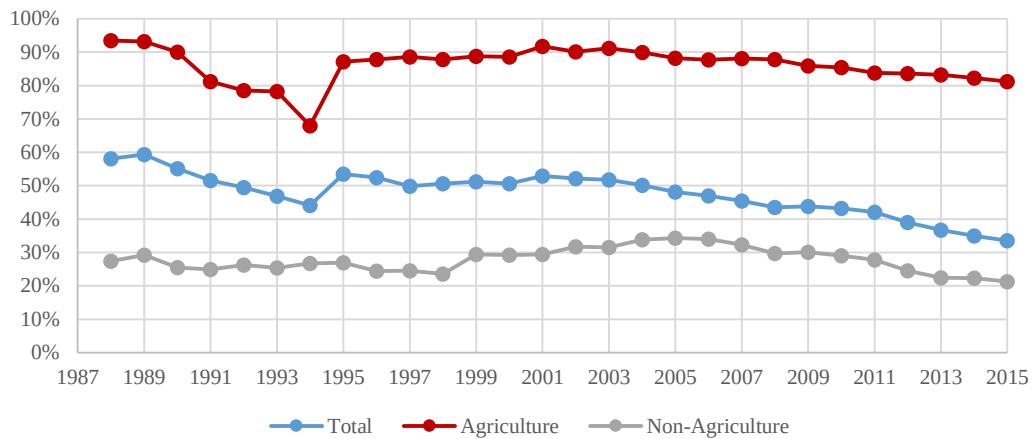
Figure 5.6: Distribution of employment within services, 2015



Source: TURKSTAT, Labour Force Statistics

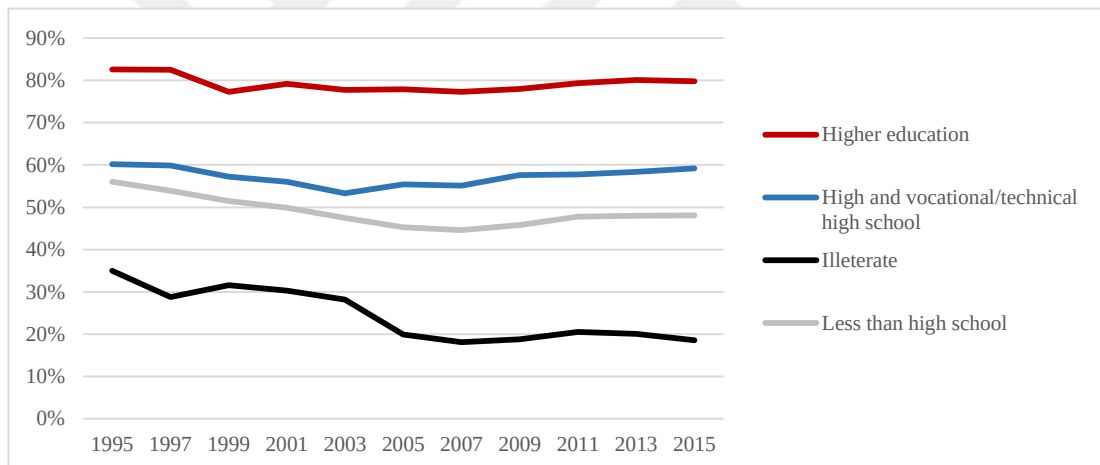
When we look at the social protection of the workers'; as a total, half of the working population had been working without the coverage of any security scheme in Turkey until 2005. Although it began to decrease after 2005, the highest rate has been in the agricultural sector with the 80-90 percent band.

Figure 5.7: Percentage of persons who are not registered to any social security institution due to the main job by years



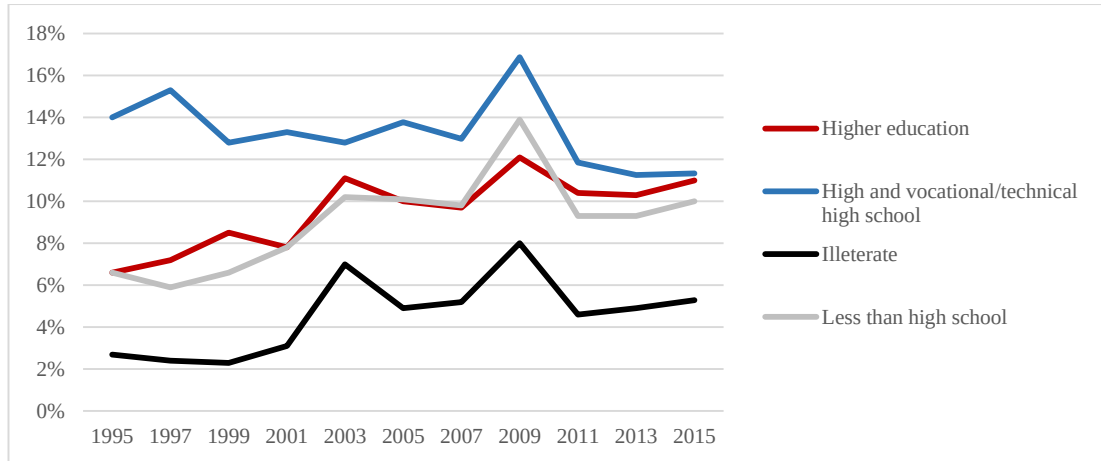
Source: TURKSTAT, Labour Force Statistics

Figure 5.8: Labour force participation rate by educational level (Thousand people, 15+ age)



Source: TURKSTAT, The results of Household Labour Force Survey

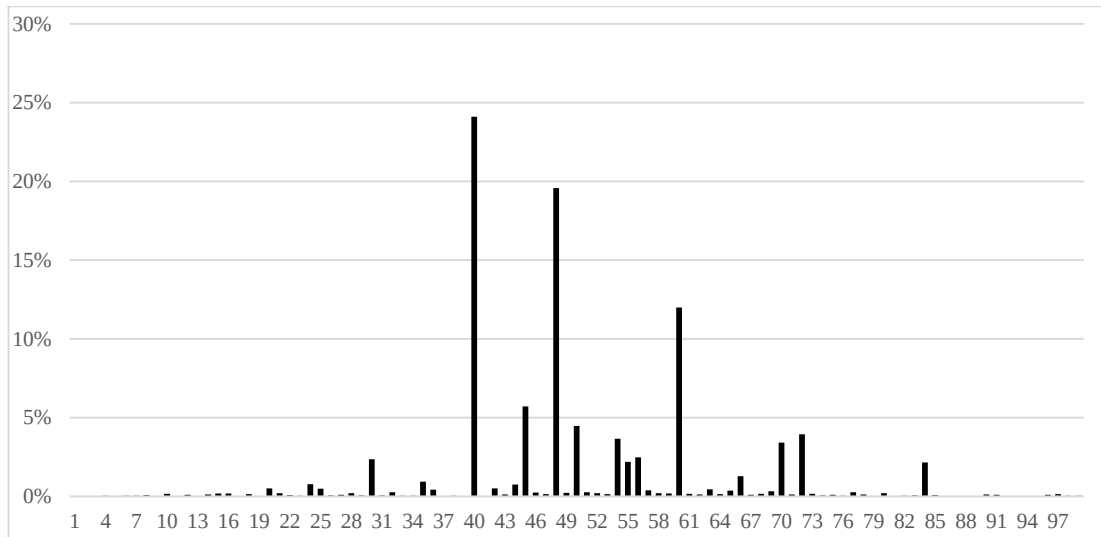
Education level is one of the main indicators regarding labour force. On the one hand, people with higher education have the highest labour participation rate (see Figure 5.8); on the other hand, they have also the highest unemployment rate (see Figure 5.9). This can be explained by the insufficient labour supply for the higher educated people. As the level of education increases, the expectation of the working conditions of the people also increases and the current job opportunities cannot meet expectations.

Figure 5.9: Unemployment rate by educational level (Thousand people, 15+ age)

Source: TURKSTAT, The results of Household Labour Force Survey

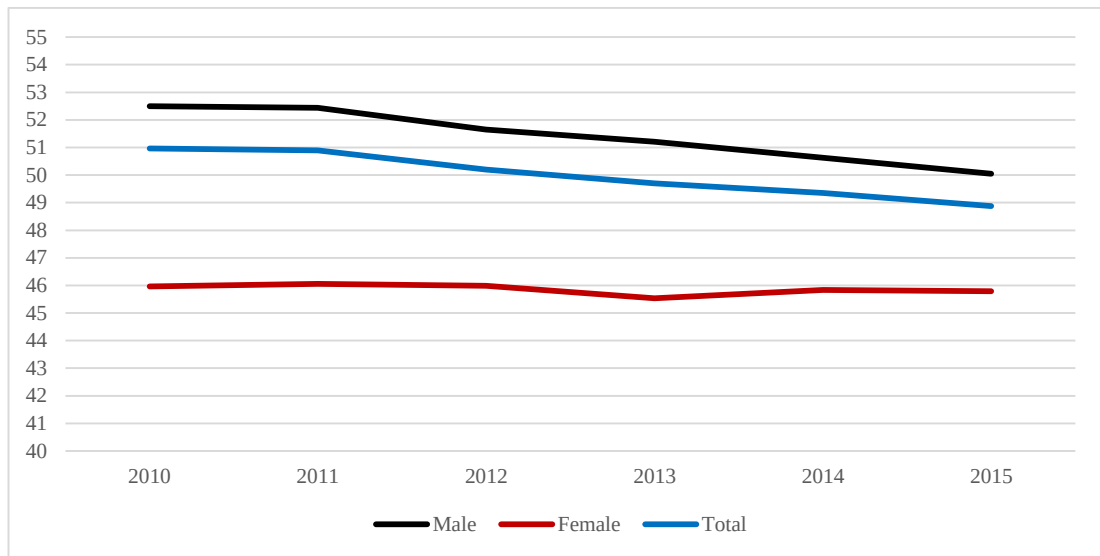
5.2. Working Hours

Working hours' trend in Turkey is interpreted by using the HLFS (Household Labour Force Surveys) data from 2010-2015.

Figure 5.10: Distribution of working hours

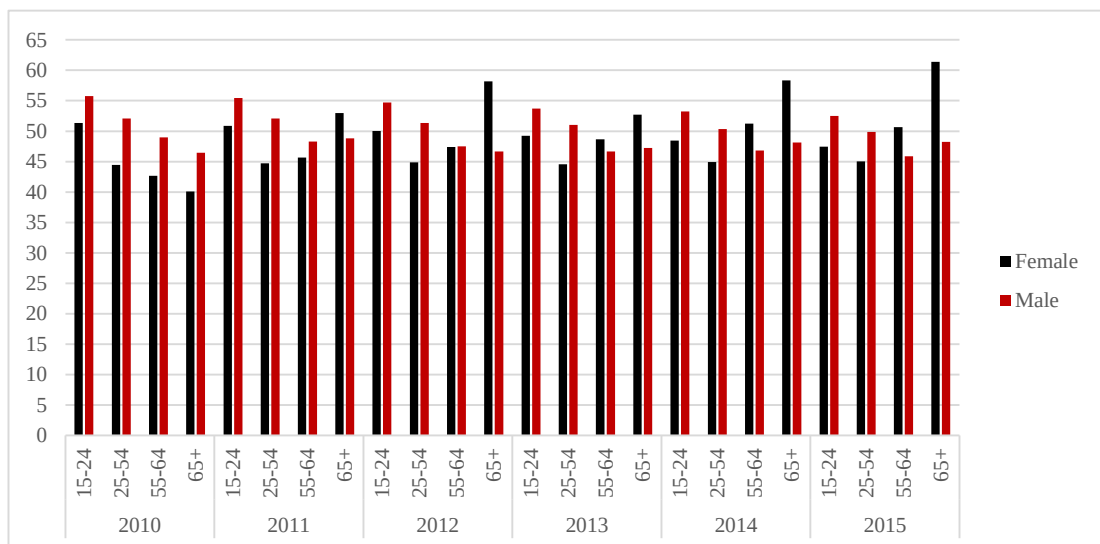
Source: HLFS data from 2010-2015

It is shown in Figure 5.10 that the most common working hours are 40, 48 and 60.

Figure 5.11: Average usual working hours, by gender

Source: HLFS data from 2010-2015

In Figure 5.10, it is seen that men are working longer than women as across the worldwide. However, downwards trend in the working hours is drawn attention both in total and men.

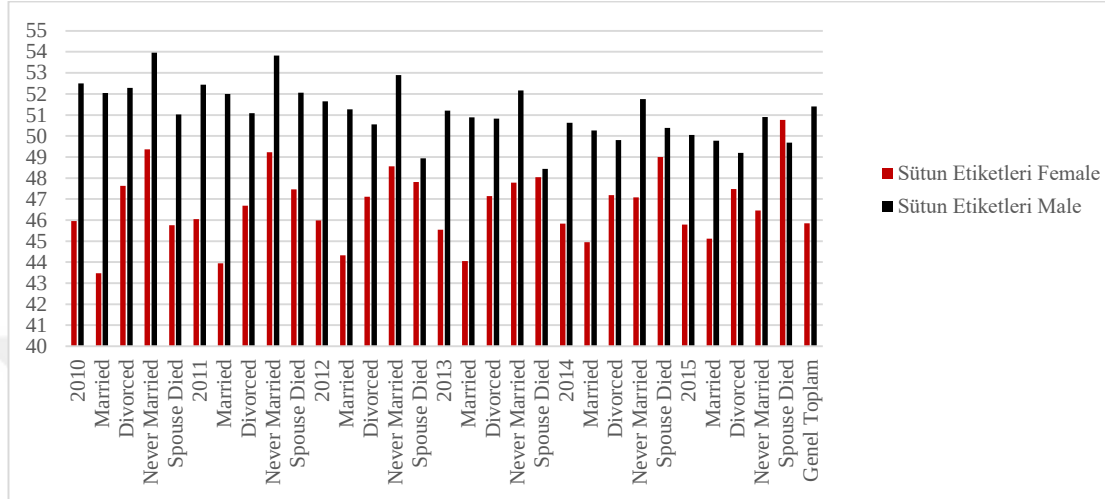
Figure 5.12: Average weekly working hours, by age

Source: HLFS data from 2010-2015

People at the age between 15-24 are working the longest among the other age groups. On the other hand, it is seen that women at the age between 55-64 and +65

(especially service clerks and salespersons) are working longer than the men at the same age group.

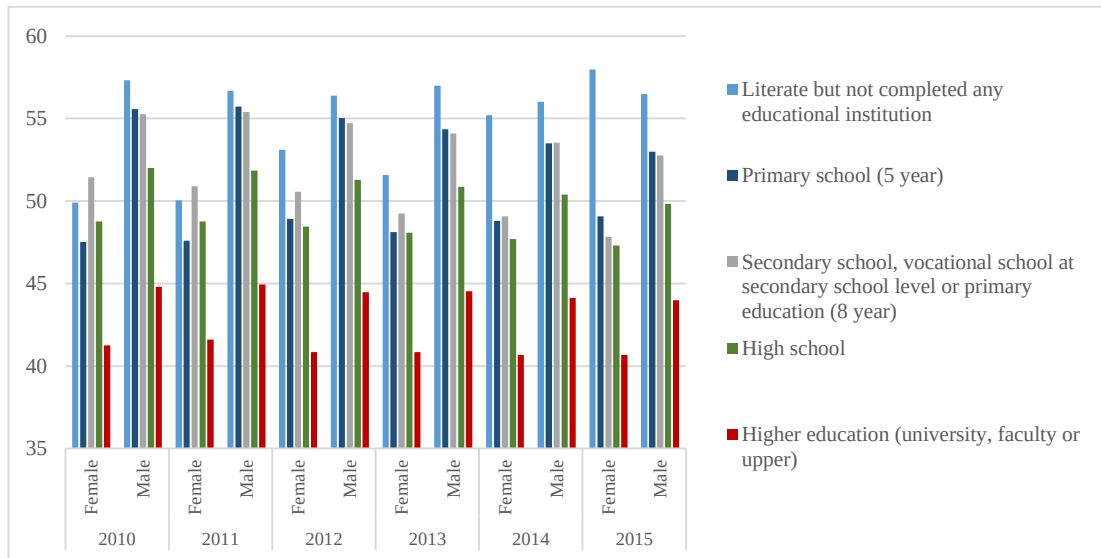
Figure 5.13: Average weekly working hours, by marital status



Source: HLFS data from 2010-2015

In general, married people are working less in Turkey. If we look at the “not married” group in both categories; “spouse died” women and “never married” men have the longest periods of hours worked.

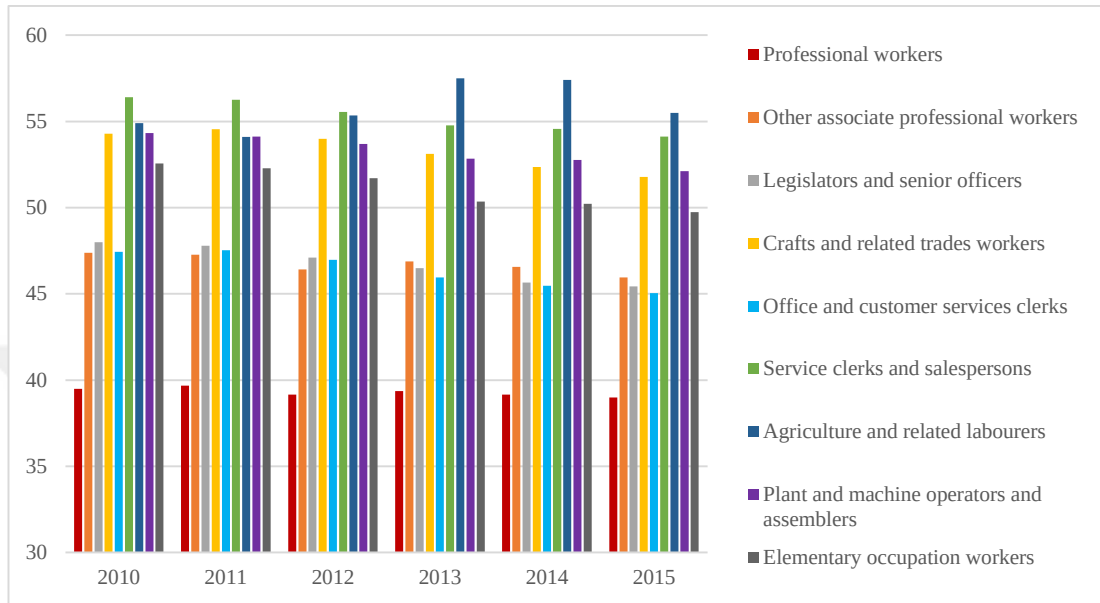
Figure 5.14: Average weekly working hours, by education



Source: HLFS data from 2010-2015

It is explicitly seen that; higher education people (especially women) were working less than the others.

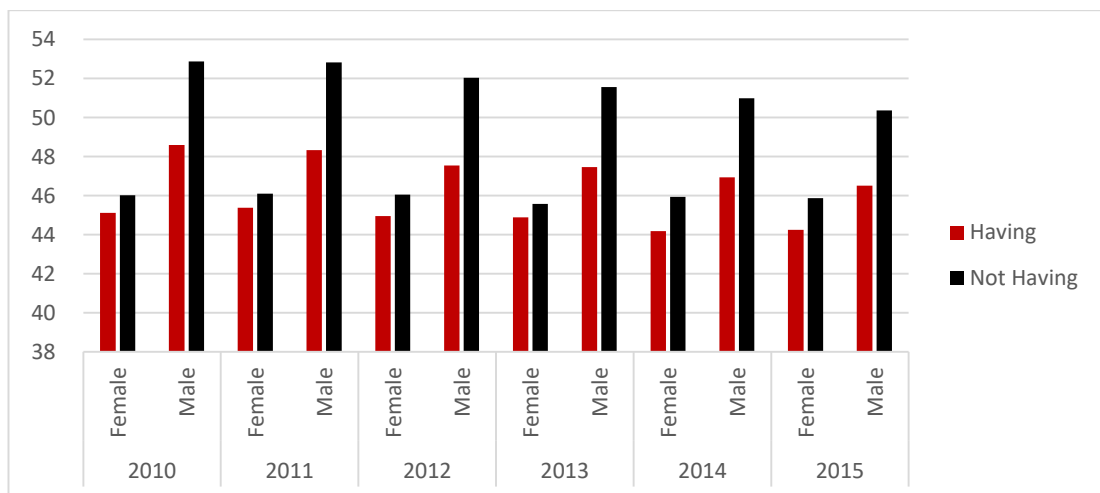
Figure 5.15: Average weekly working hours, by ISCO



Source: HLFS data from 2010-2015

There was a significant increase in working hour trends among the agriculture and related labourers in the recent years. The lowest period owners are the professional workers as might be expected.

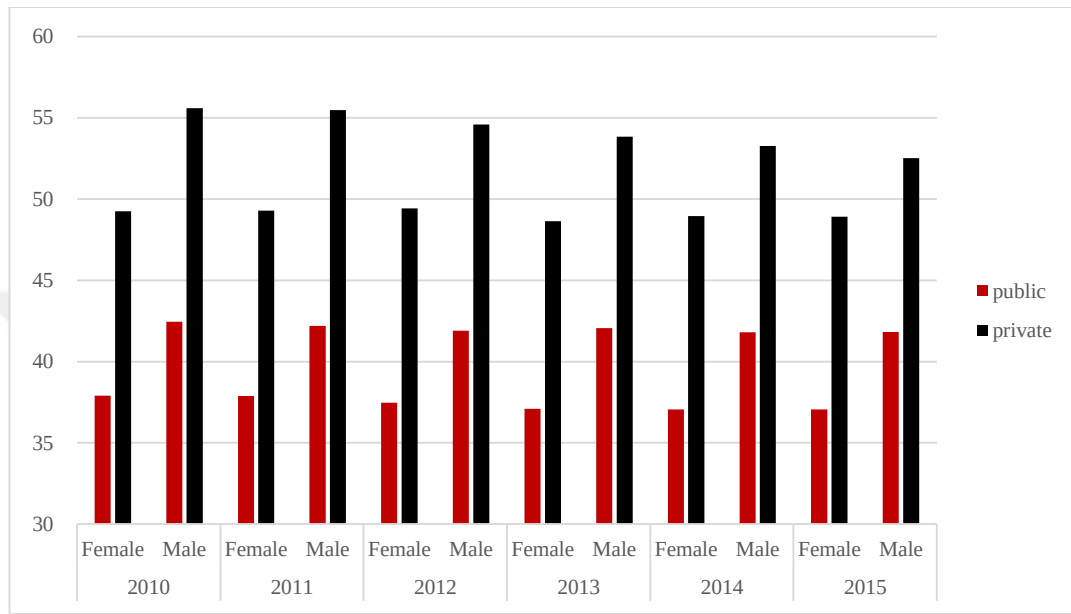
Figure 5.16: Average weekly working hours, with administrative responsibilities



Source: HLFS data from 2010-2015

Figure 5.15 shows that; men having a job title as “manager” are working seriously less than other men, as 4-hour a week. On the other side, these time gap is not widespread among the women.

Figure 5.17: Average working hours, by the status of workplace



Source: HLFS data from 2010-2015

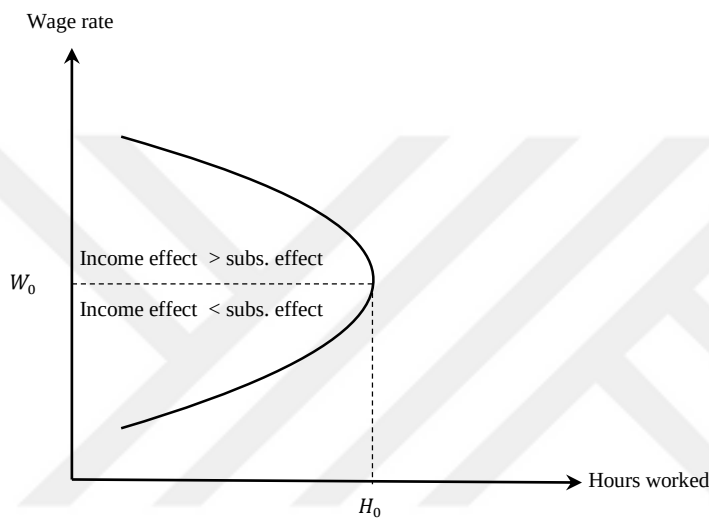
Working at any governmental organization gives people more leisure time in Turkey.

6. LITERATURE REVIEW

According to the traditional labour supply theory; the labour supply is the total hours that workers are willing to work at the given real wage rate. Time can be used in two options: work or leisure. People allocates their time between hours of work and leisure in accordance with their preferences regarding utility. If they work more, they earn higher incomes and utility increases as well; this means that they can consume more. At the same time, they submit a cut in the amount of leisure. As a result, people

face with a choice between hours worked and hours of leisure. There are two effects in this regard: income effect and substitution effect. As the real wage rises, the opportunity cost of leisure increases and, workers work more; this is the substitution effect. On the other hand, as the real wage rises and if leisure is a normal good, the increase in wage rate makes workers to work less; and this is the income effect.

Figure 6.1: Backward-bending labour supply curve



If the substitution effect is stronger than the income effect then the labour supply slopes upward. If, beyond a certain wage rate, the income effect is stronger than the substitution effect, then the labour supply curve bends backward.

Traditional theory assumes that hours of work depends largely on wage rates and total family income. However, in real life, many factors affect individuals' hours of work. Many researches are found showing different factors such as gender, marital status, having children, relative income, education and skill level etc. affecting the hours of work.

Giannis (2014) defended that; if persons' utility is influenced by the relative income, the optimal hours worked will also depend on that. He showed that "relative wage rate" has a negative effect on hours worked by using an ordinary least squares regression with Current Population Survey data that was collected from the years of 2004 to 2013. Relative wage is defined as how one's wage compares to the average

wages of his or her reference group. He hypothesized that people want to work more to improve their wage position because their position in the wage distribution has an effect on their preferences and, they begin to work more hours to increase this position.

Mehdikarimi, Norris & Stalzer (2015) showed that personal income has a positive relationship with hours worked but this effect diminishes as income level increases by using the data created from the individual and household datasets coming from the United States Census Bureau's American Community Survey. They use variables such as a number of people in the family, food stamp assistance, workers in the family and the monthly price of gas utilities etc. They distributed workers regarding their income brackets as "high, middle and low" and, they found a relevant substitution effect; as workers earn more, they will tend to work more.

Bell & Freeman (2001) showed that in US and Germany, hours worked is positively related to earnings inequality in cross-section occupational contrast and that hours worked raises future wages and promotion prospects. Because of the unequally distributed earnings, US workers are paid more extra work and generating more hours worked. They used German Socio-Economic Panel GSOEP files for the period 1985–1995 for Germany that were restricted to West Germans with the observation on approximately 3000 persons over each of the 11 years of data and, for the US, they used data from the National Longitudinal Survey of Youth NLSY for the period 1989–1996 consisting workers at the ages between 24 to 39 over the sampled years.

Choi, Lundberg, & Joesch (2005) showed that marriage increases a man's work hours by about 100 hours per year and his earnings (unconditional on employment) by more than 30 percent; a child in his household increases a man's work hours by 56 hours per year and his earnings by 12 percent by using Ordinary Least Squares method with German Socio-Economic Panel Study (SOEP) data from 1984 through 2001 for males that has 13,514 observations from 1,478 men between ages of 18 and 50.

Biggart & O'Brien (2010) also showed that the proportion of fathers working over 48 hours per week (35%) is significantly more than non-fathers (22%) by using OLS with Third Work-Life Balance Employee Survey (2006) data of adults of working age (16 to 64 for men and 16 to 59 for women) living in Great Britain, working as employees in organisations.

Kuhn & Lozano (2008) showed that skilled and salaried workers are more likely to work more hours and, long-hours premiums have an impact on this. They used Linear Probability Model with Outgoing Rotation Groups (ORGs) of the CPS from 1979 to 2004 that restrict attention to men aged 25 to 54 who are employed in the survey week, but not self-employed on their main job (on average, self-employed men work longer hours than other men). They focused on weekly hours of work and full-time worker.

Stewart & Swaffield (2008) showed that the introduction of the minimum wage reduced the basic hours of low-wage workers by between one and two hours per week by using Ordinary Least Squares with New Earning Survey (NES) and Labour Force Survey (LFS).

Couch & Wittenburg (2001) also showed that as minimum wage raises, hours worked by teenagers reduces by using Current Population Survey monthly data from January 1979 to December 1992 and January 1979 through December 1997.

Burger (2015) showed that while France and the Scandinavian countries maintained the work-family balance with a balanced working hour profile; most of the Western European and North American countries (Austria, Belgium, Canada, Germany, Italy, Ireland, Luxembourg, The Netherlands, Norway, UK and US) have an increasing ratio of extreme working hours among the high-skilled full-time male workers by using a series of pooled cross-section OLS estimations with the Luxembourg Income Study (LIS) database and Multinational Time Use Study (MTUS).

7. AN ECONOMETRIC ANALYSIS OF THE DATA

As we mentioned in the previous section, many researches showed that there are many variables affecting individuals' the working hours. In the light of the researches analyzing the factors affecting the hours of worked and also the observations of labour market dynamics; it is argued that factors such as gender, age, marital status, level of education, tenure, administrative responsibilities, having social security, working place status (public/private), number of people working in the workplace, geographical factors, classification of occupations, classification of economic activities and of course the wage effect have an effect on the amounts of hours worked in Turkey.

Because of the demographic structure of Turkey, gender and marital status are expected to affect working hours in a negative way.

Working hour trend in Turkey is analysed by using Ordinary Least Square (OLS) approach with the HLFS (Household Labour Force Surveys) data from 2010-2015.

The descriptive analysis of the variables is shown in Table 7.1. According to the Table 7.1, most of the attendants are male and married. Average age is in between 34-36 band and, attendants have high school level of education, on average. The majority work in the private sector as service clerks and salespersons and, the average seniority is 6 years. Average regular weekly working hours are in 49-50 hours' gap, on a downward trend by years.

Estimation of the HLFS data from 2010-2015 is made by using Ordinary Least Squares (OLS) method.

Table 7.1: The Descriptive Analysis of the HLFS Data from 2010-2015

Variable	2010 (86.417 obs.)				2011 (92.917 obs.)				2012 (95.552 obs)				2013 (97.701 obs)				2014 (95.771 obs.)				2015 (97.330 obs.)			
	Mean	Std. Dev.	Min	Max	Mean	Std. Dev.	Min	Max	Mean	Std. Dev.	Min	Max	Mean	Std. Dev.	Min	Max	Mean	Std. Dev.	Min	Max	Mean	Std. Dev.	Min	Max
gend	0.23	0.42	0	1	0.24	0.43	0	1	0.26	0.44	0	1	0.27	0.44	0	1	0.27	0.44	0	1	0.28	0.45	0	1
mar_sta	1.76	0.51	1	4	1.76	0.52	1	4	1.77	0.52	1	4	1.77	0.53	1	4	1.78	0.53	1	4	1.78	0.53	1	4
age	34.71	10.33	15	82	34.99	10.49	15	93	35.42	10.59	15	87	35.60	10.63	15	86	35.85	10.89	15	86	36.09	10.96	15	90
edu	9.33	4.12	1	15	9.41	4.15	1	15	9.58	4.18	1	15	9.62	4.17	1	15	9.58	4.17	1	15	9.69	4.17	1	15
tenure	6.43	7.53	0	55	6.34	7.62	0	51	6.36	7.68	0	51	6.23	7.64	0	52	6.24	7.79	0	61	6.16	7.76	0	61
nace	52.96	28.03	1	99	52.83	27.88	1	99	53.64	27.76	1	99	53.63	27.70	1	99	54.00	27.98	1	99	54.54	27.83	1	99
isco_d	5.57	2.54	1	9	5.56	2.54	1	9	5.50	2.55	1	9	5.43	2.49	1	9	5.44	2.50	1	9	5.41	2.50	1	9
sosec	0.77	0.42	0	1	0.78	0.42	0	1	0.81	0.39	0	1	0.82	0.38	0	1	0.82	0.38	0	1	0.83	0.37	0	1
state	0.25	0.43	0	1	0.24	0.43	0	1	0.25	0.43	0	1	0.23	0.42	0	1	0.24	0.43	0	1	0.24	0.43	0	1
workplace	2.03	0.83	1	3	2.02	0.83	1	3	2.03	0.83	1	3	2.03	0.83	1	3	2.01	0.85	1	3	2.02	0.85	1	3
admin	0.08	0.27	0	1	0.08	0.27	0	1	0.08	0.27	0	1	0.08	0.27	0	1	0.08	0.27	0	1	0.07	0.26	0	1
nuts1	5.23	3.26	1	12	5.28	3.20	1	12	5.23	3.17	1	12	5.26	3.20	1	12	5.56	3.33	1	12	5.52	3.33	1	12
nuts2	10.15	7.28	1	26	10.24	7.15	1	26	10.12	7.09	1	26	10.19	7.15	1	26	10.87	7.44	1	26	10.76	7.43	1	26
rhours	50.97	13.69	1	97	50.90	13.54	1	97	50.20	13.27	1	97	49.70	13.18	1	97	49.36	13.27	0	99	48.87	12.87	1	99
lrwage	7.11	0.65	2.68	10.69	7.15	0.65	2.26	10.91	7.19	0.65	0.92	11.05	7.20	0.66	0.16	11.16	7.21	0.64	0.77	10.89	7.23	0.62	2.30	11.39

gend : Gender

mar_sta : Marital Status

age : Age

edu : Education

tenure : Tenure

nace : Statistical Classification of Economic Activities in the European Community

isco_d : International Standard Classification of Occupations

sosec : Social Security

state : Status of the workplace

workplace : Number of employees in workplace

admin : Administrative responsibilities in the workplace

nuts1 : Geographical Area Covered-The name of NUTS1 Region

nuts2 : The name of provinces covered (NUTS2)

rhours : Regular weekly working hours

lrwage : Logarithm of the hourly wage

Equation.1

$$\text{rhours} = \beta_0 + \beta_1 \text{gend} + \beta_2 \text{age} + \beta_3 \text{age}^2 + \beta_4 \text{mar}_{\text{sta}} + \beta_5 \text{gend} \times \text{mar}_{\text{sta}} + \beta_6 \text{edu} + \beta_7 \text{tenure} + \beta_8 \text{tenure}^2 + \beta_9 \text{admin} + \beta_{10} \text{sosec} + \beta_{11} \text{state} + \beta_{12} \text{workplace} + \beta_{13} \text{nuts1} + \beta_{14} \text{isco}_d + \beta_{15} \text{nace} + \beta_{16} \text{year} + \varepsilon$$

It should be noted that; regression results are interpreted by labour supply estimation approach. Labour supply models are set up to explain changes in labour market participation and hours of work regarding the alterations in the features of labour markets. Classical labour supply model assumes that individuals can freely choose their hours of work at a fixed wage with a single employer. However, as Blundell & MaCurdy (1999) argued that there is not free choice of hours within job and limited choice across job. Alterations in wages can vary as a function of hour of work (Blundell & MaCurdy, 1999). Especially in countries like Turkey as having one of the highest unemployment rate among the other countries, there are other factors affecting the hours of work rather than wage as the lifecycle parameters (e.g. age, tenure), marital status, education level, geographic and industrial features, government impact (e.g. social security) etc. However, all these variables also affect the level of wage as well. Therefore, variables that affect the regular hourly wage and logarithm of the regular hourly wage are used together to see the total effect on regular weekly working hours.

To see whether the variables are stable or not, explanatory variables are added one by one to the regression in different models (see Table A.12). When we compare the estimation results by model, there is no serious correlation, apart from wage correlation, seen in between the models.

So, when we estimate regression the results with and without wage separately (see Model.8 and Model.9 in Table A.12), we can see the correlation between wage and other variables clearly. In Table A.12, it is seen that, especially in age, tenure, administrative responsibility effects on weekly regular hours of work change in opposite direction when we exclude the wage effect. In the full model, working hours decrease with age, tenure and having an administrative position. Adding hourly wages to the labor supply equation clearly improves the model.

It should also be noted that, because of the demographic structure of Turkey, there is a selection bias for women due to low labor force participation; as shown in Table 7.1, in average, only 25 per cent of the data set is consisted of women participants. Although women's labor force participation rate has an upward trend, it is still very low in Turkey; Figure 5.2 shows that, women participation to labour force is one third of men's.

In the estimation, only individual participating in the labour force is used. So, there is a selection bias for non-working population. However, since this is a labor supply model, all deviations and correlations have been neglected.

In Equation.1 it can be seen that; the quadratic functions of the age and tenure, are added to the regression. Because, these independent variables are expected to show a non-linearship to hours of work. Additionally, interaction terms of the gender with log hourly wage and marital status are added to the regression model indicating that the effect of gender on the weekly regular hours of work is different at different values of the other predictor variable like wage and marital status.

Firstly, it is seen that year effect on weekly regular working hours is negative; over the years, weekly working hours have decreased.

When everything else in Equation.1 held fixed, gender effect on working hours is estimated as following: if there were no interaction term, β_1 would be interpreted as the unique effect of gender on weekly regular working hours. However, the unique effect of gender on weekly regular working hours is not limited to β_1 , but also depends on the values of β_5, β_{14} , marital status and log hourly wage. The negative interaction term indicates that married woman work less compared to non-married. The positive coefficient with log hourly wage implies that the more compensation is needed to increase hours supply for women. This result is in line with the universal trend; women having also domestic responsibilities tend to work less. Cultural structure, gender discrimination low level of education and lack of skills are the main reason of this result.

On the other hand, married men are working 0.66-hour more than single ones. This result is in line with the study of Choi, Lundberg, & Joesch (2005) showing marriage increases a man's work hours by about 100 hours per year. However, it

should be considered that in Turkey as having the lowest labour force participation rate (32%) among the OECD countries, most of the married women prefer “not working” rather than less working when they are married.

What about age and tenure? Age and tenure often have diminishing returns, indicating a potential quadratic relationship. It means that the effect of age and tenure changes when you get older and have more tenure. According to the result of the estimation, it is seen that they have a negative impact on regular weekly working hours.

As you are getting older, the slope is such that weekly working hours would decrease by .1071167-hour for an additional year of age if the slope would remain unchanged, which it doesn't. Each additional year of age reduces partial effect of age by .00021960-hour. This difference is too small, but it shows that while years are passing, you are working less, but in a downward trend.

The same approach is valid for tenure. When you have 0 years of tenure, the slope is such that weekly working hours would decrease by .093012-hour for an additional year of tenure if the slope would remain unchanged, which it doesn't. Each additional year of tenure reduces the slope by .0017329-hour. So the difference in average weekly regular working hours for 31-year of tenure over 30-year is smaller than the difference between 51 and 50.

Initially, people get a lower weekly working hour as they get more tenure, but the gain decreases and even have the opposite effect after 26.8 years of tenure.

When interpreting the effect of administrative responsibilities on working hours, we faced with payment differences across the countries. Brett & Stroh (2003) and Worrall & Cooper (1999) showed that managers are working longer, however, we found that people are working .05-hour less when they have managerial responsibilities. This is because; while people are paid hourly wages and got long-hours premiums in other countries, there is a monthly paid wage system in Turkey.

The major difference is seen in governmental workplaces. A person is working approximately 9.14-hour less as a public employee. This result can be explained by the special regulations for the government agencies. Since the earlier years of the Republic, to improve Turkey's economic and politic situations, working in the state

agencies has been constantly encouraged by privileges; working hours is one of them. It is a common fact for most countries.

However, it is surprising to see that individuals with social security are working .33-hour more than the ones who do not have.

When we take the “Elementary occupation workers” as a base group, it is concluded that; agricultural and related workers –as the group having the longest working hours - are working approximately 2.42-hour more in a week. On the other hand, professional workers have the lowest working hours among others; they are working 5.3-hour less than the base group.

Education level has a negative impact on the hours worked; as the level of education increases, the weekly regular working hours decrease by 0.37-hour a week. Another important reason for that; educated people are aware of their legal labour rights and demand for more welfare in their work life. If they cannot find the job conditions they desire, they are looking for another job opportunity. In addition, they prefer working in corporate institutions having more than 50 employees and these workplaces are subject to legal regulations more than small businesses. As it is seen in our estimation results, the working hours decrease as the size of the firm increases.

Geographical comparison regarding the regular weekly working hours shows that; when Istanbul is taken as a base group, all other regions seem to work more. This is the fact that, İstanbul has the lion share regarding professional and related job opportunities. As shown before, people are working less in that kind of workplaces. On the other hand, working hours is the topmost ranking in the Southeast Anatolia Region which is one of Turkey's leading agricultural regions.

Wage effect on weekly regular working hours is estimated in interaction with gender. Because, it is assumed that this effect is different for woman. When hourly wages increase by 1%, the working hours increase by .08-hour more for women. This amount is .0499-hour for men. This results shows that labour supply is more elastic for women than men. Additionally, as people get much more money, they are working more. This is the universal effect of wage all around the world. On the other hand, it is amazing to see the same results in Turkey. Because, in Turkey, people are working for the fixed wage and getting it on a monthly basis, not on hourly basis. Also, there is

no additional benefit systems in Turkey like North America, the UK, and most parts of Europe. In these countries, the primary objective of many recent reforms in both tax and welfare programs, people has been encouraged to increase their work effort (Blundell & MaCurdy, 1999).

8. CONCLUSION

After the analysis of historical development of the regulations on working hours made in worldwide and Turkey, it is seen that; most of the countries have made great improvements in the legal sense.

However, a case study of Turkey shows that; it has a long way in this regard. Labour participation rate has the second last row among OECD countries and, women labour participation is one-third of the men's.

Using the HLFS surveys from 2010-2015, it is seen that, there are many factors affecting working hours in Turkey. As predicted, men are working more than women.

Marital status has different effect on men and women. While married women are working less than single ones, married men are working more than single ones.

Age, education, tenure have a negative impact on working hours; as these continuous variables increase, it is seen that regular weekly working hours decrease. However, tenure effect has diminishing returns; after the 34 years of tenure, working hours start to increase.

It is seen in occupational classification as the same as education; workers with the high-skilled occupations are working less than others.

When we compared working hours of the people regarding their working places as governmental agencies and others, there is a big difference; people in the state are working approximately 9-hour less than the others.

It is seen that year has negative effect on working hours in our estimation; over the years weekly regular working hours have decreased.

Finally; wage has a positive effect on working hours in Turkey; as the wage increases, regular weekly working hours also increase but in different level for women and men.



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10. APPENDIX

Table A. 1: ILO Conventions

Fundamental	
No	Name of Convention
C029	Forced Labour Convention, 1930 (No. 29)
C087	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No.87)
C098	Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
C100	Equal Remuneration Convention, 1951 (No. 100)
C105	Abolition of Forced Labour Convention, 1957 (No. 105)
C111	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
C138	Minimum Age Convention, 1973 (No. 138)
C182	Worst Forms of Child Labour Convention, 1999 (No. 182)
Governance (Priority)	
No	Name of Convention
C081	Labour Inspection Convention, 1947 (No. 81)
C122	Employment Policy Convention, 1964 (No. 122)
C129	Labour Inspection (Agriculture) Convention, 1969 (No. 129)
C144	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)
Technical	
No	Name of Convention
C001	Hours of Work (Industry) Convention, 1919 (No. 1)
C002	Unemployment Convention, 1919 (No. 2)
C003	Maternity Protection Convention, 1919 (No. 3)
C004	Night Work (Women) Convention, 1919 (No. 4)
C005	Minimum Age (Industry) Convention, 1919 (No. 5)
C006	Night Work of Young Persons (Industry) Convention, 1919 (No. 6)
C007	Minimum Age (Sea) Convention, 1920 (No. 7)
C008	Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)
C009	Placing of Seamen Convention, 1920 (No. 9)
C010	Minimum Age (Agriculture) Convention, 1921 (No. 10)
C011	Right of Association (Agriculture) Convention, 1921 (No. 11)
C012	Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)
C013	White Lead (Painting) Convention, 1921 (No. 13)
C014	Weekly Rest (Industry) Convention, 1921 (No. 14)
C015	Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)
C016	Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)
C017	Workmen's Compensation (Accidents) Convention, 1925 (No. 17)
C018	Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)
C019	Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)
C020	Night Work (Bakeries) Convention, 1925 (No. 20)
C021	Inspection of Emigrants Convention, 1926 (No. 21)
C022	Seamen's Articles of Agreement Convention, 1926 (No. 22)
C023	Repatriation of Seamen Convention, 1926 (No. 23)
C024	Sickness Insurance (Industry) Convention, 1927 (No. 24)
C025	Sickness Insurance (Agriculture) Convention, 1927 (No. 25)
C026	Minimum Wage Fixing Machinery Convention, 1928 (No. 26)
C027	Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)
C028	Protection against Accidents (Dockers) Convention, 1929 (No. 28)
C030	Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
C031	Hours of Work (Coal Mines) Convention, 1931 (No. 31)

C032	Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)
C033	Minimum Age (Non Industrial Employment) Convention, 1932 (No. 33)
C034	Fee Charging Employment Agencies Convention, 1933 (No. 34)
C035	Old Age Insurance (Industry, etc.) Convention, 1933 (No. 35)
C036	Old Age Insurance (Agriculture) Convention, 1933 (No. 36)
C037	Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)
C038	Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)
C039	Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39)
C040	Survivors' Insurance (Agriculture) Convention, 1933 (No. 40)
C041	Night Work (Women) Convention (Revised), 1934 (No. 41)
C042	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42)
C043	Sheet Glass Works Convention, 1934 (No. 43)
C044	Unemployment Provision Convention, 1934 (No. 44)
C045	Underground Work (Women) Convention, 1935 (No. 45)
C046	Hours of Work (Coal Mines) Convention (Revised), 1935 (No. 46)
C047	Forty Hour Week Convention, 1935 (No. 47)
C048	Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48)
C049	Reduction of Hours of Work (Glass Bottle Works) Convention, 1935 (No. 49)
C050	Recruiting of Indigenous Workers Convention, 1936 (No. 50)
C051	Reduction of Hours of Work (Public Works) Convention, 1936 (No. 51)
C052	Holidays with Pay Convention, 1936 (No. 52)
C053	Officers' Competency Certificates Convention, 1936 (No. 53)
C054	Holidays with Pay (Sea) Convention, 1936 (No. 54)
C055	Ship owners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55)
C056	Sickness Insurance (Sea) Convention, 1936 (No. 56)
C057	Hours of Work and Manning (Sea) Convention, 1936 (No. 57)
C058	Minimum Age (Sea) Convention (Revised), 1936 (No. 58)
C059	Minimum Age (Industry) Convention (Revised), 1937 (No. 59)
C060	Minimum Age (Non Industrial Employment) Convention (Revised), 1937 (No. 60)
C061	Reduction of Hours of Work (Textiles) Convention, 1937 (No. 61)
C062	Safety Provisions (Building) Convention, 1937 (No. 62)
C063	Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63)
C064	Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)
C065	Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65)
C066	Migration for Employment Convention, 1939 (No. 66)
C067	Hours of Work and Rest Periods (Road Transport) Convention, 1939 (No. 67)
C068	Food and Catering (Ships' Crews) Convention, 1946 (No. 68)
C069	Certification of Ships' Cooks Convention, 1946 (No. 69)
C070	Social Security (Seafarers) Convention, 1946 (No. 70)
C071	Seafarers' Pensions Convention, 1946 (No. 71)
C072	Paid Vacations (Seafarers) Convention, 1946 (No. 72)
C073	Medical Examination (Seafarers) Convention, 1946 (No. 73)
C074	Certification of Able Seamen Convention, 1946 (No. 74)
C075	Accommodation of Crews Convention, 1946 (No. 75)
C076	Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76)
C077	Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)
C078	Medical Examination of Young Persons (Non Industrial Occupations) Convention, 1946 (No. 78)
C079	Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79)
C080	Final Articles Revision Convention, 1946 (No. 80)
C082	Social Policy (Non Metropolitan Territories) Convention, 1947 (No. 82)
C083	Labour Standards (Non Metropolitan Territories) Convention, 1947 (No. 83)
C084	Right of Association (Non Metropolitan Territories) Convention, 1947 (No. 84)
C085	Labour Inspectorates (Non Metropolitan Territories) Convention, 1947 (No. 85)
C086	Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86)
C088	Employment Service Convention, 1948 (No. 88)
C089	Night Work (Women) Convention (Revised), 1948 (No. 89)
C090	Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)
C091	Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)
C092	Accommodation of Crews Convention (Revised), 1949 (No. 92)
C093	Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)

C094	Labour Clauses (Public Contracts) Convention, 1949 (No. 94)
C095	Protection of Wages Convention, 1949 (No. 95)
C096	Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)
C097	Migration for Employment Convention (Revised), 1949 (No. 97)
C099	Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)
C101	Holidays with Pay (Agriculture) Convention, 1952 (No. 101)
C102	Social Security (Minimum Standards) Convention, 1952 (No. 102)
C103	Maternity Protection Convention (Revised), 1952 (No. 103)
C104	Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104)
C106	Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
C107	Indigenous and Tribal Populations Convention, 1957 (No. 107)
C108	Seafarers' Identity Documents Convention, 1958 (No. 108)
C109	Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109)
C110	Plantations Convention, 1958 (No. 110)
C112	Minimum Age (Fishermen) Convention, 1959 (No. 112)
C113	Medical Examination (Fishermen) Convention, 1959 (No. 113)
C114	Fishermen's Articles of Agreement Convention, 1959 (No. 114)
C115	Radiation Protection Convention, 1960 (No. 115)
C116	Final Articles Revision Convention, 1961 (No. 116)
C117	Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)
C118	Equality of Treatment (Social Security) Convention, 1962 (No. 118)
C119	Guarding of Machinery Convention, 1963 (No. 119)
C120	Hygiene (Commerce and Offices) Convention, 1964 (No. 120)
C121	Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)
C123	Minimum Age (Underground Work) Convention, 1965 (No. 123)
C124	Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)
C125	Fishermen's Competency Certificates Convention, 1966 (No. 125)
C126	Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)
C127	Maximum Weight Convention, 1967 (No. 127)
C128	Invalidity, Old Age and Survivors' Benefits Convention, 1967 (No. 128)
C130	Medical Care and Sickness Benefits Convention, 1969 (No. 130)
C131	Minimum Wage Fixing Convention, 1970 (No. 131)
C132	Holidays with Pay Convention (Revised), 1970 (No. 132)
C133	Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)
C134	Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)
C135	Workers' Representatives Convention, 1971 (No. 135)
C136	Benzene Convention, 1971 (No. 136)
C137	Dock Work Convention, 1973 (No. 137)
C139	Occupational Cancer Convention, 1974 (No. 139)
C140	Paid Educational Leave Convention, 1974 (No. 140)
C141	Rural Workers' Organisations Convention, 1975 (No. 141)
C142	Human Resources Development Convention, 1975 (No. 142)
C143	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
C145	Continuity of Employment (Seafarers) Convention, 1976 (No. 145)
C146	Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)
C147	Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)
C148	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)
C149	Nursing Personnel Convention, 1977 (No. 149)
C150	Labour Administration Convention, 1978 (No. 150)
C151	Labour Relations (Public Service) Convention, 1978 (No. 151)
C152	Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)
C153	Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153)
C154	Collective Bargaining Convention, 1981 (No. 154)
C155	Occupational Safety and Health Convention, 1981 (No. 155)
C156	Workers with Family Responsibilities Convention, 1981 (No. 156)
C157	Maintenance of Social Security Rights Convention, 1982 (No. 157)
C158	Termination of Employment Convention, 1982 (No. 158)
C159	Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
C160	Labour Statistics Convention, 1985 (No. 160)
C161	Occupational Health Services Convention, 1985 (No. 161)

C162	Asbestos Convention, 1986 (No. 162)
C163	Seafarers' Welfare Convention, 1987 (No. 163)
C164	Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)
C165	Social Security (Seafarers) Convention (Revised), 1987 (No. 165)
C166	Repatriation of Seafarers Convention (Revised), 1987 (No. 166)
C167	Safety and Health in Construction Convention, 1988 (No. 167)
C168	Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)
C169	Indigenous and Tribal Peoples Convention, 1989 (No. 169)
C170	Chemicals Convention, 1990 (No. 170)
C171	Night Work Convention, 1990 (No. 171)
C172	Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)
C173	Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)
C174	Prevention of Major Industrial Accidents Convention, 1993 (No. 174)
C175	Part Time Work Convention, 1994 (No. 175)
C176	Safety and Health in Mines Convention, 1995 (No. 176)
C177	Home Work Convention, 1996 (No. 177)
C178	Labour Inspection (Seafarers) Convention, 1996 (No. 178)
C179	Recruitment and Placement of Seafarers Convention, 1996 (No. 179)
C180	Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)
C181	Private Employment Agencies Convention, 1997 (No. 181)
C183	Maternity Protection Convention, 2000 (No. 183)
C184	Safety and Health in Agriculture Convention, 2001 (No. 184)
C185	Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)
C187	Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
C188	Work in Fishing Convention, 2007 (No. 188)
C189	Domestic Workers Convention, 2011 (No. 189)

Source: ILO

Table A. 2: ILO Recommendations

No	Name of Recommendation
R035	Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35)
R067	Income Security Recommendation, 1944 (No. 67)
R079	Medical Examination of Young Persons Recommendation, 1946 (No. 79)
R081	Labour Inspection Recommendation, 1947 (No. 81)
R082	Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82)
R084	Labour Clauses (Public Contracts) Recommendation, 1949 (No. 84)
R085	Protection of Wages Recommendation, 1949 (No. 85)
R086	Migration for Employment Recommendation (Revised), 1949 (No. 86)
R090	Equal Remuneration Recommendation, 1951 (No. 90)
R091	Collective Agreements Recommendation, 1951 (No. 91)
R097	Protection of Workers' Health Recommendation, 1953 (No. 97)
R099	Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99)
R102	Welfare Facilities Recommendation, 1956 (No. 102)
R103	Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103)
R104	Indigenous and Tribal Populations Recommendation, 1957 (No. 104)
R110	Plantations Recommendation, 1958 (No. 110)
R111	Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)
R113	Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)
R114	Radiation Protection Recommendation, 1960 (No. 114)
R115	Workers' Housing Recommendation, 1961 (No. 115)
R116	Reduction of Hours of Work Recommendation, 1962 (No. 116)
R120	Hygiene (Commerce and Offices) Recommendation, 1964 (No. 120)
R121	Employment Injury Benefits Recommendation, 1964 (No. 121)
R122	Employment Policy Recommendation, 1964 (No. 122)
R125	Conditions of Employment of Young Persons (Underground Work) Recommendation, 1965 (No. 125)
R131	Invalidity, Old-Age and Survivors' Benefits Recommendation, 1967 (No. 131)
R132	Tenants and Share-croppers Recommendation, 1968 (No. 132)

R133	Labour Inspection (Agriculture) Recommendation, 1969 (No. 133)
R134	Medical Care and Sickness Benefits Recommendation, 1969 (No. 134)
R135	Minimum Wage Fixing Recommendation, 1970 (No. 135)
R143	Workers' Representatives Recommendation, 1971 (No. 143)
R146	Minimum Age Recommendation, 1973 (No. 146)
R147	Occupational Cancer Recommendation, 1974 (No. 147)
R149	Rural Workers' Organisations Recommendation, 1975 (No. 149)
R151	Migrant Workers Recommendation, 1975 (No. 151)
R152	Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152)
R153	Protection of Young Seafarers Recommendation, 1976 (No. 153)
R154	Continuity of Employment (Seafarers) Recommendation, 1976 (No. 154)
R155	Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155)
R156	Working Environment (Air Pollution, Noise and Vibration) Recommendation, 1977 (No. 156)
R157	Nursing Personnel Recommendation, 1977 (No. 157)
R158	Labour Administration Recommendation, 1978 (No. 158)
R159	Labour Relations (Public Service) Recommendation, 1978 (No. 159)
R160	Occupational Safety and Health (Dock Work) Recommendation, 1979 (No. 160)
R163	Collective Bargaining Recommendation, 1981 (No. 163)
R164	Occupational Safety and Health Recommendation, 1981 (No. 164)
R165	Workers with Family Responsibilities Recommendation, 1981 (No. 165)
R167	Maintenance of Social Security Rights Recommendation, 1983 (No. 167)
R168	Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168)
R169	Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)
R170	Labour Statistics Recommendation, 1985 (No. 170)
R171	Occupational Health Services Recommendation, 1985 (No. 171)
R172	Asbestos Recommendation, 1986 (No. 172)
R173	Seafarers' Welfare Recommendation, 1987 (No. 173)
R174	Repatriation of Seafarers Recommendation, 1987 (No. 174)
R175	Safety and Health in Construction Recommendation, 1988 (No. 175)
R176	Employment Promotion and Protection against Unemployment Recommendation, 1988 (No. 176)
R177	Chemicals Recommendation, 1990 (No. 177)
R178	Night Work Recommendation, 1990 (No. 178)
R179	Working Conditions (Hotels and Restaurants) Recommendation, 1991 (No. 179)
R180	Protection of Workers' Claims (Employer's Insolvency) Recommendation, 1992 (No. 180)
R181	Prevention of Major Industrial Accidents Recommendation, 1993 (No. 181)
R182	Part-Time Work Recommendation, 1994 (No. 182)
R183	Safety and Health in Mines Recommendation, 1995 (No. 183)
R184	Home Work Recommendation, 1996 (No. 184)
R185	Labour Inspection (Seafarers) Recommendation, 1996 (No. 185)
R186	Recruitment and Placement of Seafarers Recommendation, 1996 (No. 186)
R187	Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187)
R188	Private Employment Agencies Recommendation, 1997 (No. 188)
R189	Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)
R190	Worst Forms of Child Labour Recommendation, 1999 (No. 190)
R191	Maternity Protection Recommendation, 2000 (No. 191)
R192	Safety and Health in Agriculture Recommendation, 2001 (No. 192)
R193	Promotion of Cooperatives Recommendation, 2002 (No. 193)
R194	List of Occupational Diseases Recommendation, 2002 (No. 194)
R195	Human Resources Development Recommendation, 2004 (No. 195)
R197	Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197)
R198	Employment Relationship Recommendation, 2006 (No. 198)
R199	Work in Fishing Recommendation, 2007 (No. 199)
R200	HIV and AIDS Recommendation, 2010 (No. 200)
R201	Domestic Workers Recommendation, 2011 (No. 201)
R202	Social Protection Floors Recommendation, 2012 (No. 202)
R203	Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)
R204	Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

Source: ILO

Table A. 3: National limits in Industrialized Countries

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Australia	38 hours	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Austria	40 hours	8 hours	2 hours per day and 10 hours per week[2]	50 percent	11 hours	50 hours	10 hours
Belgium	38 hours	8 hours	4 hours per day and 12 hours per week[3]	50 percent	11 hours	50 hours	12 hours
Canada	40 hours	8 hours	8 hours per week[4]	50 percent	Unidentified	48 hours	Unidentified
Czech Republic	40 hours	Unidentified	8 hours per week and 150 hours per year	25 percent	12 hours	48 hours[5]	12 hours
Denmark	40 hours	8 hours	Unidentified	Unidentified	11 hours	48 hours	Unidentified
Estonia	40 hours	8 hours	4 hours per day, 8 hours per week on average over 4 months, 200 hours per year	50 percent	11 hours	48 hours[6]	12 hours[7]
Finland	40 hours	8 hours	138 over a 4-month period and not more than 250 hours per year	50 percent (first 2 hours) 100 percent (subsequent hours)	11 hours	48 hours[8]	Unidentified
France	35 hours	Unidentified	220 hours per year	10 percent	11 hours	48 hours	10 hours
Germany	Unidentified	8 hours	Unidentified	Unidentified	11 hours	48 hours	10 hours
Greece	40 hours	8 hours	4 hours per day	25 percent	12 hours	48 hours[9]	12 hours[10]
Iceland	40 hours	8 hours	5 hours per day, 8 hours per week[11]	20 percent[12]	11 hours	48 hours	13 hours
Ireland	Unidentified	Unidentified	Unidentified	Unidentified	11 hours	48 hours	Unidentified
Italy	40 hours	Unidentified	250 hours per year	10 percent	11 hours	48 hours	Unidentified
Japan	40 hours	8 hours	Unidentified	25-50 percent	Unidentified	Unidentified	Unidentified
Luxembourg	40 hours	8 hours	2 hours per day and 8 hours per week[13]	40 percent	11 hours	48 hours	10 hours[14]
Netherlands	Unidentified[15]	Unidentified	Unidentified	Unidentified	11 hours	60 hours	12 hours
New Zealand	40 hours	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Norway	40 hours	9 hours	10 hours per week, 25 hours per 4 consecutive weeks or 200 hours per year	40 percent	11 hours	50 hours[16]	Unidentified

Portugal	40 hours	8 hours	2 hours per day and 175 hours per year (small enterprises), 150 hours per year (medium and large enterprises)	25 percent	11 hours	48 hours	10 hours[17]
Slovakia	40 hours	8 hours	8 hours per week on average over a four consecutive month period (extendable to 12 months) and 150 hours per year	25 percent	12 hours	48 hours[18]	Unidentified
Slovenia	40 hours	Unidentified	8 hours per week, 20 hours per month and 170 hours per year.	Unidentified	12 hours	48 hours[19]	10 hours
Spain	40 hours	9 hours	80 hours per year	100 percent	12 hours	Unidentified	Unidentified
Sweden	40 hours	Unidentified	48 hours over a 4-week period or 50 hours per calendar month and 200 hours per year	Unidentified	11 hours	48 hours	Unidentified
Switzerland	45 hours (workers in industrial enterprises, offices, technical posts and sales staff in large commercial enterprises) 50 hours (all other workers)	Unidentified	2 hours per day and 170 hours per year (45-hour normal weekly limit) 140 hours per year (50-hour normal weekly limit)	25 percent	11 hours	Unidentified	14 hours
United Kingdom	Unidentified	Unidentified	Unidentified	Unidentified	11 hours	48 hours	Unidentified
United States	40 hours	Unidentified	Unidentified	50 percent	Unidentified	Unidentified	Unidentified

Source: ILO Travail Database

Table A. 4: National Limits in Europe

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Armenia	40 hours	8 hours	4 hours per day, 8 hours per week and 120 hours per year[20]	50 percent	11 hours	48 hours	12 hours
Bulgaria	40 hours	8 hours	3 hours over 2 consecutive days, 6 hours per week, 30 hours per month and 150 hours per year	50 percent	12 hours	46 hours[21]	Unidentified
Croatia	40 hours	Unidentified	8 hours per week, 32 hours per month, 180 hours per year	Unidentified	12 hours	48 hours[22]	Unidentified
Cyprus	Unidentified	Unidentified	Unidentified	Unidentified	11 hours	48 hours	Unidentified
Hungary	40 hours	8 hours	250 hours per year	50 percent	11 hours	48 hours	12 hours
Latvia	40 hours	8 hours	144 hours over a 4 month period	100 percent	12 hours	49 hours[23]	Unidentified
Lithuania	40 hours	8 hours	4 hours per 2 consecutive days and 120 hours per year.	50 percent	11 hours	50 hours[24]	10 hours[25]
Macedonia, The Former Yugoslav Republic of	40 hours	8 hours[26]	10 hours per week and 190 hours per year	100 percent[27]	12 hours	50 hours[28]	Unidentified
Malta	Unidentified	Unidentified	Unidentified	50 percent	11 hours	48 hours	Unidentified
Moldova, Republic of	40 hours	8 hours	4 hours per day[29] and 120 hours per the calendar year	50 percent	16 hours[30]	60 hours[31]	12 hours

Romania	40 hours	8 hours	8 hours per week[32]	75 percent	12 hours	48 hours	Unidentified
Russian Federation	40 hours	8 hours	4 hours over a 2 day period and 120 hours per year	50 percent (first 2 hours), 100 percent (subsequent hours)	Unidentified	50 hours[33]	10 hours[34]
San Marino	48 hours	8 hours	2 hours per day	25 percent	Unidentified	60 hours[35]	10 hours[36]
Serbia	40 hours	8 hours	4 hours per day, 8 hours per week	26 percent	12 hours	48 hours[37]	12 hours[38]

Source: ILO Travail Database

Table A. 5: National Limits in the Middle East

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Bahrain	48 hours	8 hours	3 hours per day and 12 hours per week[39]	25 percent	Unidentified	60 hours	11 hours
Egypt	48 hours	8 hours	2 hours per day	35 percent	Unidentified	60 hours[40]	10 hours
Iraq	Unidentified	8 hours	4 hours per day	50 percent	11 hours (for women)	Unidentified	12 hours[41]
Iran, the Islamic Republic of	44 hours	8 hours	4 hours per day	40 percent	Unidentified	Unidentified	12 hours[42]
Jordan	48 hours	8 hours	2 hours per day[43] (max.30 days)	25 percent	13 hours	60 hours[44]	10 hours
Kuwait	48 hours	8 hours	2 hours per day and 180 hours per year	25 percent	Unidentified	54 hours[45]	10 hours[46]

Lebanon	48 hours	Unidentified	Unidentified	50 percent	9 hours	Unidentified	12 hours
Qatar	48 hours	8 hours	2 hours per day[47]	25 percent	Unidentified	60 hours[48]	10 hours
Saudi Arabia	48 hours	8 hours	2 hours per day and 12 hours per week[49]	50 percent	13 hours	60 hours	10 hours
Syrian Arab Republic	40 hours	8 hours	2 hours per day[50]	25 percent	Unidentified	50 hours[51]	10 hours
Turkey	45 hours	Unidentified	270 hours per year	50 percent	13 hours	Unidentified	11 hours
United Arab Emirates	48 hours	8 hours	2 hours per day	25 percent	Unidentified	60 hours[52]	10 hours[53]
Yemen	48 hours	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified

Source: ILO Travail Database

Table A. 6: National Limits in Asia

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Afghanistan	40 hours	Unidentified	Unidentified	25 percent	Unidentified	Unidentified	Unidentified
Bangladesh	48 hours	8 hours	2 hours per day, 12 hours per week, 8 hours averaged over one year.	100 percent	Unidentified	60 hours[54]	10 hours[55]
Brunei Darussalam	44 hours	8 hours	4 hours per day[56] and 72 hours per month	100 percent (averaged)[57]	Unidentified	62 hours[58]	12 hours
Cambodia	48 hours	8 hours	2 hours per day[59]	50 percent	Unidentified	60 hours[60]	10 hours

China	40 hours	8 hours	1 hour per day and 36 hours per month	50 percent	Unidentified	49 hours[61]	9 hours[62]
India	48 hours	9 hours	Unidentified	100 percent	Unidentified	Unidentified	Unidentified
Indonesia	40 hours	8 hours (5-day work week), 7 hours (6-day work week)	3 hours per day and 14 hours per week	50 percent (first hour), 100 percent (subsequent hours)	Unidentified	54 hours[63]	11 hours (5-day work week), 10 hours (6-day work week)[64]
Kazakhstan	40 hours	8 hours	2 hours per day and 120 hours per year	50 percent	12 hours	50 hours[65]	10 hours[66]
Korea, Republic of	40 hours	8 hours	12 hours per week	50 percent	Unidentified	52 hours[67]	Unidentified
Lao People's Democratic Republic	48 hours	8 hours	3 hours per day and 45 hours per month	50 percent	Unidentified	59.25 hours[68]	11 hours[69]
Malaysia	48 hours	8 hours	4 hours per day[70], 64 hours per month	50 percent	12 hours	64 hours[71]	12 hours
Mongolia	40 hours	8 hours	Unidentified	50 percent	12 hours	Unidentified	Unidentified
Nepal	48 hours	8 hours	4 hours per day, 20 hours per week	50 percent	Unidentified	68 hours[72]	12 hours[73]
Pakistan	48 hours	9 hours	Unidentified	100 percent	Unidentified	Unidentified	Unidentified
Philippines	48 hours[74]	8 hours	Unidentified	25 percent	Unidentified	Unidentified	Unidentified
Singapore	44 hours	8 hours	4 hours per day[75], 72 hours per month	50 percent	Unidentified	62 hours[76]	12 hours
Sri Lanka	45 hours	8 hours	4 hours per day[77]	50 percent	Unidentified	Unidentified	12 hours
Thailand	48 hours	8 hours	36 hours per week	50 percent	Unidentified	84 hours[78]	14 hours[79]
Viet Nam	48 hours	8 hours	4 hours per day[80] and 200 hours per year	50 percent	Unidentified	72 hours[81]	12 hours

Source: ILO Travail Database

Table A. 7: National Limits in Africa

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Algeria	40 hours	Unidentified	8 hours per week[1]	50 percent	Unidentified	48 hours	12 hours
Angola	44 hours	8 hours	2 hours per day, 40 hours per month and 200 hours per year	50 percent	10 hours	54 hours[2]	10 hours[3]
Benin	40 hours	Unidentified	240 hours per calendar year	12 percent	Unidentified	60 hours	12 hours
Botswana	48 hours	8 hours	14 hours per week	22 percent	Unidentified	62 hours[4]	12 hours
Burkina Faso	40 hours	8 hours (5-day work week), 6 hours and 40 minutes (6-day work week)	Unidentified	15 percent	11 hours	Unidentified	Unidentified
Burundi	40 hours	8 hours	15 hours per week, 150 hours per year	35 percent	Unidentified	55 hours[5]	11 hours[6]
Cameroon	40 hours	Unidentified	20 hours per week	20 percent	Unidentified	60 hours	Unidentified
Cape Verde	44 hours	8 hours	2 hours per day and 160 hours per year	50 percent	12 hours	56 hours[7]	10 hours
Central African Republic	40 hours	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Chad	39 hours	8 hours (5-day work week), 6 hours and 40 minutes (6-day work week)	94 hours per year	Unidentified	Unidentified	54 hours	11 hours
Comoros	40 hours	Unidentified	20 hours per week	15 percent	12 hours[8]	60 hours[9]	Unidentified
Congo	40 hours	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified

The Democratic Republic of the Congo	45 hours	9 hours	12 hours per week and 144 hours per year (extraordinary workloads)[10]	30 percent	12 hours[11]	57 hours[12]	11 hours
Côte d'Ivoire	40 hours	8 hours (5-day work week), 6 hours 40 min. (6-day work week)	3 hours per day, 15 hours per week and 75 hours per year	15 percent	12 hours[13]	55 hours[14]	11 hours (5-day work week), 9 hours 40 min. (6-day work week)[15]
Djibouti	48 hours	Unidentified	5 hours per week	Unidentified	12 hours	53 hours[16]	Unidentified
Equatorial Guinea	48 hours	8 hours	2 hours per day and 200 hours per year	25 percent	12 hours	60 hours[17]	10 hours[18]
Eritrea	48 hours	8 hours	2 hours per day	25 percent	Unidentified	60 hours[19]	10 hours[20]
Ethiopia	48 hours	8 hours	2 hours per day, 20 hours per month or 100 hours per year	25 percent	Unidentified	53 hours[21]	10 hours[22]
Gabon	40 hours	8 hours[23]	20 hours per week	Unidentified	12 hours[24]	60 hours[25]	12 hours
Ghana	40 hours	8 hours	Unidentified	Unidentified	12 hours	Unidentified	Unidentified
Guinea	40 hours	Unidentified	100 hours per year	30 percent	12 hours[26]	48 hours	10 hours
Guinea-Bissau	45 hours	8 hours	2 hours per day and 120 hours per year	50 percent (first hour) 75 percent (subsequent hours)	10 hours	Unidentified	10 hours[27]
Kenya	52 hours	Unidentified	12 hours per 2 week period[28]	50 percent	Unidentified	Unidentified	Unidentified
Lesotho	45 hours	9 hours (5-day work week) 8 hours of work on 5 days and 5 hours of work on one day (6-day work week)	11 hours per week	25 percent	Unidentified	56 hours[29]	Unidentified

Libyan Arab Jamahiriya	48 hours	10 hours	3 hours per day	50 percent	Unidentified	66 hours[30]	13 hours
Madagascar	43 hours[31]	Unidentified	Unidentified	30 percent	Unidentified	Unidentified	Unidentified
Malawi	48 hours	12 hours (5-day work week), 8 hours (6-day work week)	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Mali	40 hours	Unidentified	2 hours per day (urgent work) 75 hours per year (extraordinary workloads) 18 hours per week (to maintain or increase production)	10 percent	12 hours[32]	60 hours	Unidentified
Mauritania	40 hours	8 hours	Unidentified	Unidentified	10 hours	Unidentified	Unidentified
Mauritius	48 hours (domestic workers)	8 hours	Unidentified	50 percent	11 hours	Unidentified	Unidentified
Morocco	44 hours	8 hours	80 hours per year	25 percent	Unidentified	Unidentified	10 hours
Mozambique	48 hours	8 hours	8 hours per week, 96 hours per quarter and 200 hours per year	50 percent	Unidentified	56 hours[33]	Unidentified
Namibia	45 hours	9 hours (5-day work week), 8 hours (6-day work week)	3 hours per day and 10 hours per week	50 percent	Unidentified	55 hours[34]	12 hours (5-day work week), 11 hours (6-day work week)[35]
Niger	40 hours	9 hours	Unidentified	10 percent	12 hours	Unidentified	Unidentified
Nigeria	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Rwanda	45 hours	Unidentified	10 hours a week during a period of 60 working days	50 percent	Unidentified	55 hours[36]	10 hours

Sao Tome and Principe	45 hours	8 hours	4.5 hours per week[37]	25 percent (first hour) 50 percent (subsequent hours)	Unidentified	49.5 hours	Unidentified
Senegal	40 hours	Unidentified	10 hours per week, 100 hours per year	10 percent	11 hours ¹⁹	50 hours[38]	Unidentified
Seychelles	60 hours	12 hours	60 hours per month or an aggregate of 15 hours per week	50 percent	8 hours	75 hours[39]	15 hours[40]
Somalia	48 hours	8 hours	12 hours per week	25 percent	Unidentified	60 hours[41]	10 hours[42]
South Africa	45 hours	9 hours (5-day work week) 8 hours (6-day work week)	12 hours in total per day and 10 hours per week	50 percent	12 hours	55 hours[43]	12 hours
Sudan	48 hours	8 hours	4 hours per day and 12 hours per week	50 percent	Unidentified	60 hours[44]	12 hours[45]
Tanzania, United Republic of	45 hours	9 hours	3 hours per day[46] or 50 hours over a 4-week period	50 percent	12 hours	60 hours[47]	12 hours
Togo	40 hours	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Tunisia	48 hours	Unidentified	12 hours per week[48]	75 percent	10 hours	60 hours	Unidentified
Uganda	48 hours	Unidentified	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Zambia	48 hours	8.5 hours[49]	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Zimbabwe	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified

Source: ILO Travail Database

Table A. 8: National Limits in Latin America

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Antigua and Barbuda	48 hours	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Argentina	48 hours	8 hours	3 hours per day, 30 hours per month and 200 hours per year	50 percent	12 hours	66 hours[131]	11 hours[132]
Bahamas	40 hours	8 hours	4 hours per day[133]	50 percent	Unidentified	60 hours[134]	12 hours
Barbados	Unidentified	Unidentified	Unidentified	50 percent	13 hours	Unidentified	Unidentified
Belize	45 hours	9 hours	Unidentified	50 percent	9 hours	Unidentified	Unidentified
Bolivia	48 hours	8 hours	2 hours per day	100 percent	11 hours[135]	60 hours[136]	10 hours[137]
Brazil	44 hours	8 hours	2 hours per day	50 percent	11 hours	56 hours[138]	10 hours[139]
Chile	45 hours	8 hours	2 hours per day	50 percent	Unidentified	57 hours[140]	10 hours[141]
Colombia	48 hours	8 hours	2 hours per day and 12 hours per week	25 percent	Unidentified	60 hours[142]	10 hours[143]
Costa Rica	48 hours	8 hours	4 hours per day[144]	50 percent	12 hours	72 hours[145]	12 hours
Cuba	44 hours	8 hours	4 hours over a two day period and 160 hours per year	Cash payment or compensatory rest	Unidentified	56 hours[146]	10 hours[147]
Dominica	40 hours	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Dominican Republic	44 hours	8 hours	80 hours per trimester	35 percent	14 hours	Unidentified	Unidentified
Ecuador	40 hours	8 hours	4 hours per day and 12 hours per week	50 percent	Unidentified	52 hours[148]	12 hours[149]
El Salvador	44 hours	8 hours	Unidentified	100 percent	8 hours	Unidentified	Unidentified

Grenada	40 hours (agricultural, construction and industrial workers), 44 hours (clerical assistants, shop assistants, catering assistants), 60 hours (domestic workers and security guards)	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Guatemala	48 hours	8 hours	4 hours per day[150]	50 percent	8 hours	72 hours[151]	12 hours
Guyana	Unidentified	8 hours	Unidentified	Unidentified	Unidentified	Unidentified	Unidentified
Haiti	48 hours	8 hours	80 hours per trimester (industrial undertakings), 2 hours per day and 320 hours per year (commercial undertakings)	50 percent	Unidentified	60 hours[152]	10 hours (commercial undertakings)[153]
Honduras	44 hours	8 hours	4 hours per day[154] (maximum 4 times a week)	25 percent	10 hours	60 hours[155]	12 hours
Jamaica	44 hours	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Mexico	48 hours	8 hours	3 hours per day (maximum 3 times a week)	100 percent	Unidentified	57 hours[156]	11 hours[157]
Nicaragua	48 hours	8 hours	3 hours per day and 9 hours per week	100 percent	Unidentified	57 hours[158]	11 hours[159]
Panama	48 hours	8 hours	3 hours per day and 9 hours per week	25 percent	Unidentified	57 hours[160]	11 hours[161]
Paraguay	48 hours	8 hours	3 hours per day and 9 hours per week[162]	50 percent	10 hours	57 hours	11 hours[163]
Peru	48 hours	8 hours	Unidentified	25 percent (first 2 hours), 35 hours (subsequent hours)	Unidentified	Unidentified	Unidentified

Saint Kitts and Nevis	40 hours	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Trinidad and Tobago	40 hours	8 hours	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Uruguay	44 hours (commerce sector), 48 hours (industry)	8 hours	8 hours per week	100 percent	Unidentified	52 hours (commerce sector), 56 hours (industry)[164]	Unidentified
Venezuela	44 hours	8 hours	2 hours per day, 10 hours per week and 100 hours per year	50 percent	Unidentified	54 hours[165]	10 hours[166]

Source: ILO Travail Database

Table A. 9: National Limits in Oceania

Country	Weekly normal hours limit	Daily normal hours limit	Overtime limits	Minimum overtime premium	Minimum daily rest periods	Weekly maximum hours limit[1]	Daily maximum limits
Fiji	48 hours	Unidentified	Unidentified	50 percent	Unidentified	Unidentified	Unidentified
Papua New Guinea	Unidentified	Unidentified	Unidentified	50 percent	Unidentified	Unidentified	12 hours
Solomon Islands	45 hours	9 hours	12 hours per week, 48 hours per month[167]	50 percent	12 hours	57 hours	11 hours[168]
Vanuatu	44 hours	8 hours	12 hours per week[169]	25 percent (first 4 hours), 50 percent (subsequent hours)	Unidentified	56 hours	Unidentified

Source: ILO Travail Database

Table A. 10: Structure of the Data of HLFS 2010-2015

Field Name	Explanations	Options
gend	Gender	0 Male 1 Female
mar_sta	Marital Status	1 Never Married 2 Married 3 Divorced 4 Spouse Died
age	Completed age	15...93
edu	Highest level of education successfully completed	1 Literate but not completed any educational institution 5 Primary school (5 years) 8 Secondary school, vocational school at secondary school level or primary education (8 years) 11 High school 15 Higher education (university, faculty or upper)
tenure	Tenure	0...61
nace	Statistical Classification of Economic Activities in the European Community	1...99 (Table 7.3)
isco_d	International Standard Classification of Occupations	1 Legislators and senior officers 2 Professional workers 3 Other associate professional workers 4 Office and customer services clerks 5 Service clerks and salespersons 6 Agriculture and related labourers 7 Crafts and related trades workers 8 Plant and machine operators and assemblers 9 Elementary occupation workers
sosec	Have you registered any social security institution?	0 No 1 Yes
state	Status of the workplace (public or others)	0 Others 1 Public
workplace	Number of employees in the workplace	1 <=10 2 11-49 3 >=50
admin	Administrative responsibilities in the workplace	0 No 1 Yes
nuts1	Geographical Area Covered-The name of NUTS1 Region	1 Istanbul 2 West Marmara 3 Aegean 4 East Marmara 5 West Anatolia 6 Mediterranean 7 Central Anatolia 8 West Black Sea 9 East Black Sea 10 Northeast Anatolia 11 Middle East Anatolia 12 Southeast Anatolia
rhours	Regular weekly working hours	0...99
lrwage	Logarithm of the hourly wage	

Table A. 11: NACE Rev.2

Statistical Classification of Economic Activities in the European Community (NACE Rev.2)	
1	Crop and animal production, hunting
2	Forestry and logging
3	Fishing and aquaculture
5	Mining of coal and lignite
6	Extraction of crude petroleum and natural gas
7	Mining of metal ores
8	Other mining and quarrying
9	Mining support service activities
10	Manufacture of food products
11	Manufacture of beverages
12	Manufacture of tobacco products
13	Manufacture of textiles
14	Manufacture of wearing apparel
15	Manufacture of leather and related
16	Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials
17	Manufacture of paper and paper products
18	Printing and reproduction of recorded media
19	Manufacture of coke and refined petroleum products
20	Manufacture of chemicals and chemical products
21	Manufacture of basic pharmaceutical products and pharmaceutical preparations
22	Manufacture of rubber and plastic products
23	Manufacture of other non-metallic mineral products
24	Manufacture of basic metals
25	Manufacture of fabricated metal products, except machinery and equipment
26	Manufacture of computer, electronic and optical products
27	Manufacture of electrical equipment
28	Manufacture of machinery and equipment n.e.c
29	Manufacture of motor vehicles, trailers and semi-trailers
30	Manufacture of other transport equipment
31	Manufacture of furniture
32	Other manufacturing
33	Repair and installation of machiner
35	Electricity, gas, steam and air conditioning supply
36	Water collection, treatment and supply
37	Sewerage
38	Waste collection, treatment and disposal activities; materials recovery
39	Remediation activities and other waste management services
41	Construction of buildings
42	Civil engineering
43	Specialised construction activities
45	Wholesale and retail trade and repair of motor vehicles and motorcycles
46	Wholesale trade, except motor vehicles and motorcycles

47	Retail trade, except motor vehicles and motorcycles
49	Land transport and transport via pipelines
50	Water transport
51	Air transport
52	Warehousing and support activities
53	Postal and courier activities
55	Accommodation
56	Food and beverage service activities
58	Publishing activities
59	Motion picture, video and television programme production, sound recording and music publishing activities
60	Programming and broadcasting activities
61	Telecommunications
62	Computer programming, consultancy and related activities
63	Information service activities
64	Financial service activities, except insurance and pension funding
65	Insurance, reinsurance and pension funding, except compulsory social security
66	Activities auxiliary to financial services and insurance activities
68	Real estate activities
69	Legal and accounting activities
70	Activities of head offices; management consultancy activities
71	Architectural and engineering activities; technical testing and analysis
72	Scientific research and development
73	Advertising and market research
74	Other professional, scientific and technical activities
75	Veterinary activities
77	Rental and leasing activities
78	Employment activities
79	Travel agency, tour operator and other reservation service and related activities
80	Security and investigation activities
81	Services to buildings and landscape
82	Office administrative, office support and other business support activities
84	Public administration and defence; compulsory social security
85	Education
86	Human health activities
87	Residential care activities
88	Social work activities without accommodation
90	Creative, arts and entertainment activities
91	Libraries, archives, museums and other cultural activities
92	Gambling and betting activities
93	Sports activities and amusement and recreation activities
94	Activities of membership organisations
95	Repair of computers and personal and household goods
96	Other personal service activities
97	Activities of households as employers of domestic personnel
99	Activities of extraterritorial organisations and bodies

Table A. 12: Regression Results by Model

rhours	Model.1 (R ² : 0.1487)		Model.2 (R ² : 0.1491)		Model.3 (R ² : 0.2048)		Model.4 (R ² : 0.2119)		Model.5 (R ² : 0.2476)		Model.6 (R ² : 0.2476)		Model.7 (R ² : 0.2992)		Model.8 (R ² : 0.303)		Model.9 (R ² : 0.3404)		Model.10 (R ² : 0.0172)	
	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.	Coef.	Std. Err.
constant	63.789	0.217	63.567	0.217	60.363	0.214	60.549	0.213	58.236	0.214	54.206	0.216	52.485	0.257	53.256	0.259	27.240	0.410	69.392	0.295
log(wage)	no		no		no		no		no		no		no		no		4.999	0.054	-2.702	0.040
gender#log(wage) interaction female&log(wage)	no		no		no		no		no		no		no		no		2.962	0.064	no	
year																				
2011	no		no		no		no		no		no		no		-0.152	0.054	-0.374	0.053	no	
2012	no		no		no		no		no		no		no		-0.730	0.053	-1.017	0.052	no	
2013	no		no		no		no		no		no		no		-1.421	0.053	-1.760	0.052	no	
2014	no		no		no		no		no		no		no		-1.843	0.054	-2.288	0.052	no	
2015	no		no		no		no		no		no		no		-2.260	0.053	-2.768	0.052	no	
industry fixed effect	no		no		no		no		no		no		yes		yes		yes		no	
occupation fixed effect	no		no		no		no		no		yes		yes		yes		yes		no	
region fixed effect	no		no		no		no		yes		yes		yes		yes		yes		no	
number of people working in the workplace: <=10																				
11-49	no		no		no		-1.965	0.044	-1.817	0.044	-1.285	0.044	-0.552	0.046	-0.643	0.046	-1.271	0.045	no	
>=50	no		no		no		-3.040	0.041	-2.740	0.041	-2.268	0.042	-1.426	0.047	-1.474	0.047	-2.503	0.046	no	
type of workplace: state	no		no		-9.362	0.040	-8.924	0.040	-9.763	0.042	-8.606	0.042	-7.562	0.069	-7.649	0.069	-9.143	0.069	no	
social security: having	no		-0.738	0.059	-0.464	0.058	0.671	0.060	1.122	0.060	1.238	0.060	1.862	0.061	2.117	0.061	0.330	0.058	no	
gender: female	-2.914	0.065	-2.900	0.065	-2.779	0.062	-2.689	0.061	-2.544	0.061	-2.168	0.061	-1.870	0.060	-1.886	0.060	-21.981	0.464	no	
age	-0.074	0.013	-0.041	0.013	-0.036	0.013	-0.028	0.013	-0.012	0.013	0.031	0.012	0.139	0.012	0.138	0.012	-0.107	0.012	no	
age ²	-0.001	0.000	-0.001	0.000	-0.001	0.000	-0.001	0.000	-0.001	0.000	-0.001	0.000	-0.003	0.000	-0.003	0.000	0.000	0.000	no	
marital status: married	0.573	0.053	0.612	0.053	0.982	0.051	1.047	0.051	0.818	0.051	0.872	0.050	0.894	0.048	0.806	0.048	0.656	0.048	no	
gender#marital status interaction female&married	-3.394	0.081	-3.471	0.081	-3.032	0.078	-3.112	0.078	-2.886	0.077	-2.723	0.076	-2.691	0.073	-2.562	0.073	-2.847	0.072	no	
education	-0.870	0.004	-0.850	0.005	-0.517	0.005	-0.491	0.005	-0.469	0.005	-0.297	0.006	-0.190	0.006	-0.179	0.006	-0.369	0.006	no	
tenure	-0.222	0.006	-0.210	0.006	0.013	0.006	0.034	0.006	0.045	0.006	0.015	0.006	0.032	0.006	0.018	0.006	-0.093	0.006	no	
tenure ²	0.001	0.000	0.000	0.000	0.000	0.000	-0.001	0.000	-0.001	0.000	0.000	0.000	-0.001	0.000	0.000	0.000	0.002	0.000	no	
administrative responsibilities: having	1.030	0.055	1.035	0.055	0.700	0.052	0.618	0.052	0.543	0.052	1.126	0.060	0.769	0.059	0.733	0.059	-0.056	0.060	no	

*Omitted variables: year (2010), gender (male), marital status(not married), administrative responsibilities (not having) social security(not having), type of workplace (apart from state), number of people working in the workplace (<=10), nuts1(Istanbul), isco_d (Elementary occupation workers), nace (Crop and animal production, hunting)

Table A. 13: Regression Output of Equation.1

Linear regression					Number of obs: 565688	
					F(125,565562): 2852.07	
					Prob > F: 0.000	
					R-squared: 0.340	
					Root MSE: 10.820	
	rhours	Coef.	Robust Std. Err.	t	P>t	[95% Conf. Interval]
	_cons	27.240	0.410	66.470	0.000	26.437 28.044
	1.gend	-21.981	0.464	-47.330	0.000	-22.891 -21.070
	age	-0.107	0.012	-9.270	0.000	-0.130 -0.084
	age2	0.000	0.000	1.450	0.146	0.000 0.001
	1.mar_sta	0.656	0.048	13.680	0.000	0.562 0.750
	gend#mar_sta					
	1 1	-2.847	0.072	-39.810	0.000	-2.987 -2.707
	gend#c.lrwage					
	1	2.962	0.064	46.250	0.000	2.837 3.088
	lrwage	4.999	0.054	93.370	0.000	4.894 5.104
	edu	-0.369	0.006	-63.760	0.000	-0.380 -0.357
	tenure	-0.093	0.006	-15.670	0.000	-0.105 -0.081
	ten2	0.002	0.000	8.480	0.000	0.001 0.002
	1.admin	-0.056	0.060	-0.930	0.355	-0.174 0.062
	1.sosec	0.330	0.058	5.720	0.000	0.217 0.444
	1.state	-9.143	0.069	-	0.000	-9.278 -9.008
	workplace					
	2	-1.271	0.045	-28.460	0.000	-1.358 -1.183
	3	-2.503	0.046	-54.160	0.000	-2.594 -2.413
	nuts1					
	2	2.046	0.066	30.910	0.000	1.917 2.176
	3	1.338	0.054	24.720	0.000	1.232 1.444
	4	0.849	0.056	15.150	0.000	0.739 0.959
	5	2.445	0.054	45.380	0.000	2.339 2.551
	6	1.825	0.060	30.290	0.000	1.707 1.943
	7	2.613	0.073	35.950	0.000	2.471 2.756
	8	3.441	0.070	48.900	0.000	3.303 3.579
	9	3.018	0.076	39.620	0.000	2.868 3.167
	10	4.896	0.094	52.340	0.000	4.713 5.080
	11	3.379	0.087	39.010	0.000	3.210 3.549
	12	5.607	0.077	73.130	0.000	5.457 5.757
	isco_d					
	1	-3.116	0.096	-32.290	0.000	-3.305 -2.926
	2	-5.299	0.076	-69.850	0.000	-5.448 -5.150
	3	-2.530	0.069	-36.780	0.000	-2.664 -2.395
	4	-1.784	0.063	-28.230	0.000	-1.907 -1.660
	5	2.406	0.068	35.610	0.000	2.274 2.539
	6	2.428	0.217	11.180	0.000	2.002 2.854
	7	-0.265	0.058	-4.560	0.000	-0.378 -0.151
	8	0.551	0.060	9.210	0.000	0.434 0.669

nace						
2	-2.943	0.292	-10.090	0.000	-3.515	-2.372
3	3.017	0.799	3.780	0.000	1.451	4.583
5	-4.214	0.237	-17.800	0.000	-4.678	-3.750
6	-7.693	1.046	-7.350	0.000	-9.744	-5.643
7	-3.176	0.481	-6.610	0.000	-4.117	-2.234
8	1.743	0.340	5.130	0.000	1.076	2.409
9	-1.629	0.674	-2.420	0.016	-2.951	-0.308
10	1.564	0.173	9.060	0.000	1.226	1.903
11	-4.446	0.364	-12.200	0.000	-5.160	-3.732
12	-7.068	0.608	-11.610	0.000	-8.260	-5.875
13	-3.550	0.165	-21.540	0.000	-3.873	-3.227
14	-1.080	0.161	-6.700	0.000	-1.396	-0.764
15	-0.590	0.219	-2.700	0.007	-1.020	-0.161
16	-2.532	0.227	-11.130	0.000	-2.977	-2.086
17	-3.739	0.235	-15.910	0.000	-4.200	-3.278
18	-2.901	0.267	-10.850	0.000	-3.425	-2.377
19	-6.490	0.463	-14.010	0.000	-7.398	-5.582
20	-4.406	0.213	-20.730	0.000	-4.823	-3.989
21	-6.448	0.306	-21.070	0.000	-7.048	-5.848
22	-2.071	0.195	-10.620	0.000	-2.454	-1.689
23	-1.807	0.179	-10.090	0.000	-2.158	-1.456
24	-4.257	0.182	-23.440	0.000	-4.613	-3.901
25	-3.145	0.182	-17.320	0.000	-3.500	-2.789
26	-6.012	0.292	-20.570	0.000	-6.585	-5.439
27	-4.164	0.188	-22.200	0.000	-4.532	-3.797
28	-3.907	0.192	-20.390	0.000	-4.282	-3.531
29	-5.065	0.175	-28.920	0.000	-5.409	-4.722
30	-5.823	0.266	-21.880	0.000	-6.344	-5.301
31	-2.580	0.185	-13.970	0.000	-2.942	-2.218
32	-2.514	0.253	-9.950	0.000	-3.009	-2.019
33	-3.237	0.260	-12.470	0.000	-3.745	-2.728
35	-5.748	0.205	-28.070	0.000	-6.149	-5.347
36	-2.361	0.381	-6.200	0.000	-3.108	-1.615
37	-5.118	0.444	-11.520	0.000	-5.988	-4.247
38	-2.000	0.351	-5.700	0.000	-2.688	-1.312
39	-3.493	2.383	-1.470	0.143	-8.164	1.178
41	-1.841	0.165	-11.160	0.000	-2.164	-1.518
42	0.894	0.228	3.920	0.000	0.447	1.341
43	-1.621	0.179	-9.080	0.000	-1.971	-1.271
45	0.497	0.182	2.730	0.006	0.141	0.853
46	-0.904	0.173	-5.220	0.000	-1.244	-0.565
47	0.698	0.164	4.260	0.000	0.377	1.018
49	-0.873	0.192	-4.560	0.000	-1.248	-0.497
50	0.818	0.559	1.460	0.143	-0.277	1.913
51	-9.630	0.442	-21.810	0.000	-10.495	-8.764
52	-1.734	0.224	-7.730	0.000	-2.174	-1.295
53	-1.487	0.238	-6.240	0.000	-1.954	-1.020
55	0.245	0.195	1.260	0.209	-0.137	0.628
56	3.132	0.176	17.830	0.000	2.788	3.476
58	-2.356	0.452	-5.210	0.000	-3.241	-1.470
59	0.573	0.739	0.780	0.438	-0.875	2.021
60	-2.116	0.447	-4.730	0.000	-2.993	-1.239
61	-3.869	0.283	-13.670	0.000	-4.423	-3.314
62	-7.814	0.278	-28.070	0.000	-8.360	-7.268
63	-4.180	0.672	-6.220	0.000	-5.498	-2.863
64	-9.053	0.179	-50.610	0.000	-9.403	-8.702
65	-4.789	0.499	-9.600	0.000	-5.767	-3.811
66	-4.810	0.293	-16.420	0.000	-5.384	-4.236
68	-2.384	0.263	-9.050	0.000	-2.900	-1.868
69	-4.535	0.201	-22.600	0.000	-4.928	-4.142

70	-8.441	0.242	-34.830	0.000	-8.916	-7.966
71	-4.612	0.247	-18.680	0.000	-5.096	-4.128
72	-5.219	0.439	-11.900	0.000	-6.079	-4.359
73	-4.744	0.337	-14.100	0.000	-5.404	-4.085
74	-2.998	0.403	-7.440	0.000	-3.788	-2.208
75	-0.181	0.852	-0.210	0.832	-1.850	1.489
77	-1.548	0.615	-2.520	0.012	-2.753	-0.342
78	-5.941	0.305	-19.480	0.000	-6.539	-5.344
79	-1.634	0.412	-3.970	0.000	-2.442	-0.827
80	-5.422	0.198	-27.370	0.000	-5.811	-5.034
81	-7.100	0.162	-43.700	0.000	-7.419	-6.782
82	-2.333	0.256	-9.120	0.000	-2.834	-1.831
84	-2.875	0.166	-17.370	0.000	-3.200	-2.551
85	-7.220	0.167	-43.210	0.000	-7.548	-6.893
86	-2.318	0.168	-13.840	0.000	-2.646	-1.990
87	-3.168	0.338	-9.360	0.000	-3.831	-2.504
88	9.108	0.264	34.440	0.000	8.590	9.627
90	-4.699	0.727	-6.460	0.000	-6.125	-3.274
91	-4.650	0.416	-11.190	0.000	-5.464	-3.835
92	3.459	0.975	3.550	0.000	1.548	5.369
93	-5.105	0.406	-12.590	0.000	-5.900	-4.310
94	-4.769	0.215	-22.220	0.000	-5.190	-4.349
95	0.683	0.288	2.370	0.018	0.118	1.247
96	2.617	0.234	11.180	0.000	2.158	3.075
97	-9.029	0.262	-34.470	0.000	-9.542	-8.516
99	-14.982	0.721	-20.790	0.000	-16.394	-13.569
year						
2011	-0.374	0.053	-7.080	0.000	-0.477	-0.270
2012	-1.017	0.052	-19.640	0.000	-1.119	-0.916
2013	-1.760	0.052	-34.070	0.000	-1.861	-1.659
2014	-2.288	0.052	-43.710	0.000	-2.390	-2.185
2015	-2.768	0.052	-53.680	0.000	-2.869	-2.667

*Omitted variables: year (2010), gend (male), mar_sta(not married), admin(no administrative responsibility), sosec(no social security), state(apart from governmental offices), workplace(<=10), nuts1(Istanbul), isco_d (Elementary occupation workers), nace (Crop and animal production, hunting)

11. PERSONAL BACKGROUND

Personal Information

Name : Pelin BAKIRDAĞ
 Date of Birth : April 12, 1988
 Place of Birth : Ankara

Education

High School : Dr. Binnaz EGE – Dr. Rıdvan EGE Anatolian High School
 University : TOBB Economy and Technology University
 Bachelor Degree of Mathematics with 100% scholarship
 (September 2006 - August 2011)

Employment

Company : Yıldız Holding A.Ş.
 Position : IT Auditor
 Time : December 2016 - Present

Company : Anadolubank A.Ş.
 Position : IT Auditor
 Time : December 2014 - November 2016

Company : Vakıflar Bankası T.A.O
 Position : Middle Office Assistant Specialist
 Time : September 2013 - December 2014

TEZ ONAY SAYFASI

Üniversite : T.C. GALATASARAY ÜNİVERSİTESİ
 Enstitü : SOSYAL BİLİMLER ENSTİTÜSÜ
 Hazırlayanın Adı Soyadı : PELİN BAKIRDAĞ
 Tez Başlığı : TÜRKİYE'DE ÇALIŞMA SAATLERİ
 DİNAMİKLERİ
 Savunma Tarihi : 20 /06/ 2018
 Danışmanı : DOÇ. DR. SEZGİN POLAT

JÜRİ ÜYELERİ

Unvanı, Adı Soyadı

İmza

Doc. Dr. Mustafa Ulu

Doç. Dr. Ozan Bakır
 Doç. Dr. Sezgin Polat



Enstitü Müdürü
 Prof. Dr. M. Yaman ÖZTEK

