

- LAW BULLETIN -

GETTING WORK PERMIT IN TURKEY

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1. Introduction

According to the International Labour Act No. 6735, foreigners must obtain permission before starting to work in Turkey. Work permit can be for a period of time or indefinite, independent or exceptional.

Foreigners with professional careers may be granted independent work permits provided that the special conditions specified in other laws are met and they would like to work on his/her behalf.

Unless otherwise decided in bilateral or multilateral agreements that Turkey is a party, exceptional work permit can be granted to the foreigners who meet the requirements of specified conditions and exceptional work permit will not be subject to the time limitations in the law.

Different than other professionals, foreigners wishing to work in health and education services requiring professional qualification must first obtain prior permission for the evaluation of permit applications. The institutions authorized to give preliminary permission are the Ministry of Health for health services and the Ministry of National Education in education services.

2. Requirements

- At least 5 Turkish citizens must be employed in the workplace where the foreign citizen will work. For more than one foreigner to be allowed to work in the same workplace, there must be a citizen of the Republic of Turkey 5 are employed for each one stranger.
- In case the application is made for the manager of the company, the paid-in capital of the workplace must be at least 100,000 TRY, gross sales must be at least 800,000 TRY, or the export amount must be at least USD 250,000 in the last year. For this type of application, hiring at least 5 Turkish citizens criteria does not have to be met at the beginning.

- In case the application is made for the manager of the company, the foreigner, who is a partner of the company and who is asking for a permit, must have at least 20% capital share, not less than 40.000 TRY.
- The amount of the monthly salary to be paid to the foreigner by the employer must be in accordance with the duty and quality of the foreigner. Accordingly, some wages are determined based on the minimum wage according to occupational groups and job positions and these prices are included in the law.
- If the entertainment sector and tourism/ animation/ organization firms employ 10 Turkish citizens within their bodies, there is no requirement for 5 Turkish citizens to be employed separately for each foreigner.

3. Result

Foreign nationals residing outside Turkey can apply to the Republic of Turkey Consulate or Turkish Embassy in their country of residence. Foreign nationals who hold a valid residence permit in Turkey can apply directly to the Ministry of Labour and Social Security. The type of application is divided into two categories: individual application and company application and accordingly, the required documents may vary.

The Ministry of Family Labour and Social Services evaluates and finalizes the work permit application by taking the opinions of the relevant Ministry and authorities when necessary. The Ministry's decision regarding the work permit application (positive or negative) will be notified to the individual or to the employer depending on the type of the application.

Best Regards,

Forensis Law Firm

Note: The explanations in our bulletin have been prepared in a general manner to address the issue within the framework of the relevant legislation. We recommend you to contact our Office for detailed information. Our office has been serving internationally for years and our lawyers who have detailed information about the subject are quite satisfied with our clients. We would be happy to help you with your work permit application process.