

► Brief note

Current state of apprenticeships in Turkey: Overview of relevant ILO instruments¹

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Background

Recently, Turkey's President [declared](#) that government targets 1 million apprentices, registered to Vocational Education Centres ("VECs"; currently at 250.000) by the end of 2022. Apprenticeship is part of Turkey's formal vocational education system. Vocational Education Centres (*Mesleki Eğitim Merkezleri*) provide a four-year training with a major work-based learning component for secondary school graduates aged above 14.

According to the President, following the implementation of the amended [Law No. 3308](#), the 9-11 grade apprentices receive at least 30 percent of the minimum wage (1276 lira) and apprentices in the 12th year with "journeyman" qualification are given at least half of the minimum wage. The State, through the Unemployment Insurance Fund, provides full coverage of the remuneration. Recently, the Government [decided](#) to extend the financial incentive for five training years starting from the 2021-2022 academic year. The declared ultimate aim is to ensure that all receiving vocational education can earn at least the minimum wage while at training.

It was [announced](#) that 255 vocational education contact offices have been opened in organized industrial zones within the framework of "Vocational and Technical Education Cooperation Protocol" signed between the Ministry of National Education (MoNE) and Ministry of Industry and Technology. Within the scope of the program, the VECs apprentices [receive](#) theoretical training at school one or two days a week and practical training in enterprises for remaining three-four days.

Apprenticeship programme with a promise of a high school diploma by attending school once a week [appears to some](#) as deprivation of the children's rights to obtain requisite social and cognitive skills and enforcement to work at a young age amounting to child labour, especially in times of current economic crisis. [Others argue](#) that apprenticeship project of the MoNE aims to generate poor workers by disenrolling students, particularly with poor academic record, from regular schools offering one-third of the minimum wage. Children from poor families and in vulnerable situations are at particular risk. Moreover, it appears that one of objectives of such practices is to fulfil a shortage in labour force.

Current apprenticeship programmes are also [regarded](#) as a pretext towards legalization of child labour manifested in exploitation of millions of children while exposing them to social and psychological abuse, without appropriate opportunities to organize, left at the discretion of their employer. [Some](#) argue that through vocational training, especially children of poor families are pushed by the State to cheap labour force. The notion that children who cannot attend school should not be left without a diploma, and at the same time learn a profession appears to be tempting for poor families. Thus, children are pushed into businesses without any possibility for them to defend themselves in a situation of physical and psychological vulnerability. Oftentimes, apprentices [are said](#) to be subjected to long working hours, including on weekends.

[Evaluation](#) of vocational education in Turkey suggests that apprentices, taking almost all the responsibilities of the workplace before completing their physical development, face occupational safety and health (OSH) risks associated with their adolescence. Concerns regarding OSH are referred, among others, to apprenticeships in automotive industry, where by using welding machines, apprentices breathe hazardous gases without PPE and thus face serious dangers of injury. It appears that most of the enterprises matched with apprentices are SMEs, which generally have in Turkey worse OSH conditions. Specific apprenticeship teachers and OSH experts should be consulted to learn more of the current state in this realm.

Moreover, concern is raised with regard to insurance coverage, as currently only occupational accident and professional diseases insurance is provided for apprentices.

Impact of child labour and forced labour

There is no place for child labour in society. It robs children of their future and keeps families in poverty ([ILO Director-General](#)). The term “child labour” is often [defined](#) as work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and/or interferes with their schooling by depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

The [economic effects](#) of child labour are manifold. Even though the child labour may increase household income at the family level, working children compromising school attendance do not develop necessary skills, missing the opportunity to enhance their productivity and future earnings capacity. This creates a self-perpetuating cycle of poverty discouraging economic growth and development. Physically demanding work can also disrupt education in view of children’s fatigue to participate adequately at school activities or study at home. Thus, child labour not only indirectly affects long run growth, but also directly affects social development.

Child labour can affect negatively a country’s long run growth since the health problems caused to child labourers, especially those exposed to hazardous activities, translate in the long run into a less healthy and hence less productive adult labour force. There is also evidence of both physical and mental health consequences of working as a child that arise in adulthood. Eliminating child labour in all sectors without exception, together with health-focused public expenditure and educational programmes, can therefore benefit not only the health of the children involved but also the country’s long run growth rate through enhanced labour productivity.

Affluence of unskilled labor leads to [long term consequences](#) for economic growth as it discourages the adoption of skill intensive technologies. More child labor leads to more unskilled labor, which, in its turn, disincentivizes countries to adopt technologies involving skilled labor. This further discourages the development of new skills, leaving countries worse off in the long run.

Child labour also impacts on adult labour market, since children’s work could be performed by adults but is paid less. This notion is strictly linked to increase of adult unemployment. If children enter the labour market with lower wage, they either displace adults from jobs or decrease the adult wage rate.

[C029 - Forced Labour Convention, 1930](#) defines forced labour as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. Based on this definition, the ILO developed eleven [indicators of Forced Labour](#) to help identify persons who are possibly trapped in a forced labour situation, and who may require urgent assistance. These refer to:

1. Abuse of vulnerability, which arises when an employer imposes excessive working hours or withholds wages taking advantage of a worker’s vulnerable position.

2. Deceptive recruitment practices, which can include false promises regarding working conditions and wages, the type of work, housing and living conditions, acquisition of regular migration status, job location or the identity of the employer.
3. Restriction of movement, when workers are deprived of the opportunity to freely enter and exit the work premise without a legitimate reason.
4. Isolation, particularly in remote locations without available means of transportation, or within populated areas.
5. Physical and sexual violence, including forcing workers to take drugs or alcohol so as to have greater control over them.
6. Intimidation and threat, including psychological coercion designed to increase their sense of vulnerability, such as constant insulting and undermining workers.
7. Retention of identity documents or other valuable personal possessions.
8. Withholding of wages as a means to compel the worker to remain, denying him or her of the opportunity to change employer.
9. Debt bondage, which may also arise when children are recruited in exchange for a loan given to their parents or relatives.
10. Abusive working and living conditions, which could be degrading (humiliating or dirty) or hazardous (difficult or dangerous without adequate protective gear), and in severe breach of labour law.
11. Excessive overtime, beyond the limits prescribed by national law or collective agreement, under some form of threat (e.g. of dismissal) or in order to earn at least the minimum wage.

[Forced labour](#) and child labour, as a barrier to competition, investment, and technological changes, causes the economy to run at sub-optimal productivity level deterring foreign investment and obstructing international commercial relations. It is the leading cause of poverty across generations and an impediment to economic and social progress.

Forced labour and child labour is not only serious violation of a fundamental human rights, it hinders peoples' and particularly children's development, potentially leading to lifelong physical or psychological damage. [ILO studies](#) have shown that the elimination of child labour in transition and developing economies could generate economic benefits much greater than the associated costs.

Relevant ILO instruments

The ILO fundamental conventions and other standards, together with well-targeted technical assistance, are the main ILO tools at the international level in this regard. These include the following.

Child labour

[C138 - Minimum Age Convention, 1973](#) (ratified by Turkey in 1998), together with its accompanying [R146 - Minimum Age Recommendation, 1973](#), set the general minimum age for admission to employment or work at not less than the age of completion of compulsory schooling, in any case, not less than 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age

at 14 (12 for light work) where the economy and educational facilities are insufficiently developed. Tukey specified the minimum age at [15 years](#).

C138 allows member States to exclude from the application of the Convention work done in school for general, vocational or technical education or in training institutions or work done by children at least 14 years of age as apprentices in undertakings. However, the exemption can only apply if such work is an integral part of: (i) a course of education or training for which a school or training institution is primarily responsible; (ii) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority; or (iii) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training. In all cases, the work must be carried out in accordance with conditions prescribed by the competent authority, after consultation with the organizations of employers and workers concerned. Furthermore, R146 indicates that measures should be taken to safeguard and supervise the conditions in which children and young persons undergo vocational orientation and training and to formulate standards for their protection and development.

The special protections afforded by C138 includes full protection of the young apprentice's health, safety and morals within an apprenticeship scheme subject to government regulation and oversight. These protections apply to young persons between 16 and 18 years of age undertaking apprenticeships involving hazardous work. Moreover, international labour standards establish an absolute prohibition of night work below the age of 16, also for apprentices.

[C182 - Worst Forms of Child Labour Convention, 1999 \(No. 182\)](#) (ratified by Turkey in 2001), in conjunction with [R190 - Worst Forms of Child Labour Recommendation, 1999](#), defines a "child" as a person under 18 years of age. It requires to eliminate the worst forms of child labour, including all forms of slavery or practices similar to slavery; the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; using children for illicit activities; and work which is likely to harm the health, safety or morals of children. The Convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labour.

Previously, the [Committee of Experts on the Application of Conventions and Recommendations](#) (CEACR) expressed its concern at the alleged abuse of the apprenticeship system in China, where children under the minimum age for apprenticeship are recruited to work as apprentices in factories and work long hours for low pay. CEACR is of the view that work in educational institutions and apprenticeships must be regulated by law, and that the law must be applied effectively in practice. Moreover, the minimum age for admission to apprenticeship must be applied in all circumstances and sectors, including in the informal economy.

CEACR noted that access to education and to a wide range of vocational training courses is of paramount importance for achieving equality in the labour market. It is a key factor in determining the actual possibilities of gaining access to a wide range of paid occupations and employment, especially those with opportunities for advancement and promotion. Not only do apprenticeships and technical education need to be addressed, but also general education, "on the job training" and the actual process of training.

To abolish child labour in apprenticeships it is important to raise awareness about the legal minimum working age, invest in pre-vocational training, lower school drop-out rates, expand secondary schooling, support transferable skills training and quality apprenticeships, strengthen policy and programme coherence on child labour and education as well as social protection by supporting closer coordination between concerned Ministries and social partners.

It should be noted that the [Fifth Global Conference on the Elimination of Child Labour](#) took place in Durban (South Africa) 16 - 20 May 2022. Moreover, the ILO is the Secretariat of [Alliance 8.7](#), a global inclusive partnership to achieve SDG Target 8.7, which calls to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour. The International Programme on the Elimination of Child Labour and Forced Labour ([IPEC+ Flagship Programme](#)) asserts ILO's leadership role in global efforts to eradicate all forms of child labour by 2025.

Forced labour

[C029 - Forced Labour Convention, 1930](#) (ratified by Turkey in 1998) prohibits all forms of forced or compulsory labour. Exceptions under certain conditions are provided for work required by compulsory military service, normal civic obligations, as a consequence of a conviction in a court of law, in cases of emergency, and for minor communal services performed by the members of a community in the direct interest of the community. This fundamental Convention requires to punish as a penal offence the illegal extraction of forced or compulsory labour and adequate and strict enforcement of the relevant penalties imposed by law.

[C105 - Abolition of Forced Labour Convention, 1957](#) (ratified by Turkey in 1961) prohibits forced or compulsory labour as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilizing and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.

[P029 - Protocol of 2014 to the Forced Labour Convention, 1930](#) (not yet ratified by Turkey), supported by [R203 - Forced Labour \(Supplementary Measures\) Recommendation, 2014](#), aims to advance prevention of forced labour, protection of victims ensuring their access to justice and compensation measures, as well as to intensify efforts to eliminate all forms of forced labour, including trafficking in persons.

Occupational Safety and Health

The [ILO Constitution](#) sets forth the principle that workers must be protected from sickness, disease and injury arising from their employment. The ILO has adopted more than [40 standards](#) and [Codes of Practice](#) specifically dealing with occupational safety and health (OSH), including those in certain economic sectors. Apprentices enjoy the [full protection](#) of health and safety at work appropriate for their age.

[C187 - Promotional Framework for Occupational Safety and Health Convention, 2006](#) (ratified by Turkey in 2014), and [R197 - Promotional Framework for Occupational Safety and Health Recommendation, 2006](#), provide for coherent and systematic treatment of occupational safety and health issues. These instruments aim to establish and implement coherent national policies through dialogue between government, workers' and employers' organizations and promote a national

preventive safety and health culture, including through introduction of OSH concepts and competencies into education and vocational training.

The [Global Dialogue Forum on Good Practices and Challenges in Promoting Decent Work in Construction and Infrastructure Projects](#) held in 2015 identified the importance of OSH training for workers and recommended that tripartite constituents develop a coherent vocational education, skills development and training strategy including OSH-related skills.

Freedom of Association and Collective Bargaining

The principle of freedom of association is at the core of the ILO's values: it is enshrined in the [ILO Constitution](#) (1919), the [ILO Declaration of Philadelphia](#) (1944) and the [ILO Declaration on Fundamental Principles and Rights at Work](#) (1998). It is also a right proclaimed in the [Universal Declaration of Human Rights](#) (1948). The right to organize and form employers' and workers' organizations is the prerequisite for sound collective bargaining and social dialogue.

[C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948](#), sets forth the right of workers and employers to establish and join trade unions without previous authorization. The [CEACR](#) maintains that these guarantees apply to all employers and workers in the private and public sectors, including apprentices. Further, the Committee observes the need to guarantee that minors who have reached the minimum legal age for admission to employment, both as workers and as apprentices, can exercise their trade union rights without parental authorization.

[C098 - Right to Organise and Collective Bargaining Convention, 1949](#), provides that workers shall enjoy adequate protection against acts of anti-union discrimination. The [CEACR](#) recalled that the right to organize and to collective bargaining applies also to apprentices, regardless of whether or not their employment relationship is based on a written contract, or on a contract for an indefinite term.

Apprenticeships

The ILO stands for the promotion of apprenticeships and other forms of work-based learning that should be consistent with the pursuit of decent work, which is the core objective for the Organization. The ILO defined apprenticeship in its [R060 - Apprenticeship Recommendation, 1939](#), as "any system by which an employer undertakes by contract to employ a young person and to train him or have him trained systematically for a trade for a period the duration of which has been fixed in advance and in the course of which the apprentice is bound to work in the employer's service". [R117 - Vocational Training Recommendation, 1962](#), reformulated the definition stating that "systematic long-term training for a recognized occupation taking place substantially within an undertaking or under an independent craftsman should be governed by a written contract of apprenticeship and be subject to established standards."

Following the ultimate juridical replacement of these instruments by [R195 - Human Resources Development Recommendation, 2004](#), apprenticeship has not been comprehensively addressed under any subsequent ILO instruments (whether by Conventions or Recommendations). Considering the regulatory gap on apprenticeships, the ILO Governing Body in its [334th Session](#) in October-November 2018 requested the Office to place a standard-setting item related to apprenticeships on the agenda of the 110th and 111th session of the International Labour Conference (ILC) for a double discussion in 2021 and 2022.

According to the [minutes](#) of the 343rd Session of the Governing Body in November 2021, standard-setting discussion on apprenticeships has been scheduled for the 111th Session (2023) of the Conference. The new instrument should address the lack of clarity on the different forms of work-based learning by providing comprehensive guidance on all modalities rather than focusing just on apprenticeships. As part of this process, the Office has published a [Law and Practice Report in 2019](#), which was distributed to the ILO's tripartite constituents (governments, employers' and workers' organizations). The questionnaire appended to the Report requested the views of member States, in consultation with the most representative organizations of employers and workers, on the form, scope and content of any new instrument or instruments (which might be a Convention and/or Recommendation) concerning apprenticeships.

Relevant ILO publications

The following ILO publications and tools appear to be relevant in this context:

- [“The role of cooperatives in eliminating child labour: A facilitator guide to train field trainers”](#),
- [“A facilitator guide to train management, staff and members of agricultural cooperatives”](#),
- [“Child Labour: Global estimates 2020, trends and the road forward”](#),
- [“Supplier guidance on preventing, identifying and addressing child labour”](#),
- [“COVID-19 and child labour: A time of crisis, a time to act”](#),
- [“COVID-19: Protect children from child labour, now more than ever!”](#),
- [“COVID-19 impact on child labour and forced labour: The response of the IPEC+ Flagship Programme”](#),
- [“Measuring child labour, forced labour and human trafficking in global supply chains: A global Input-Output approach”](#),
- [“Ending child labour, forced labour and human trafficking in global supply chains”](#),
- [“Ending child labour by 2025: A review of policies and programmes”](#),
- [“How to do business with respect for children’s right to be free from child labour: ILO-IOE child labour guidance tool for business”](#),
- [“Improving the Safety and Health of Young Workers”](#),
- [“Training materials on Labour Inspection with Focus on Child Labour”](#),
- [“Youth & COVID-19: Impacts on jobs, education, rights and mental well-being”](#),
- [“Global guidelines on the prevention of forced labour through lifelong learning and skills development approaches”](#),
- [“How to strengthen informal apprenticeship systems for a better future of work?: Lessons learned from comparative analysis of country cases”](#).

The [International Training Centre of the ILO](#) (ITC ILO) offers a variety of [training courses](#) with regard to apprenticeship, elimination of child labour, and occupational safety and health.

Conclusion

In view of the above, it appears reasonable to monitor the effective implementation of relevant laws in practice and realization of apprentices' rights in full compliance with international labour standards as well as closely observe potential cases giving rise to child labour and/or forced labour, particularly with regard to children from poor families and those in vulnerable situations. It should be highlighted that practices involving abuse of vulnerability, deceptive recruitment, physical and sexual violence, intimidation and abusive working conditions provide strong indication of forced labour and/or child labour. Abuse of the apprenticeship system to the detriment of apprentices' rights should be avoided in all circumstances and sectors.

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