

AMENDMENTS MADE TO LAW 4688 ON PUBLIC SERVANTS' TRADE UNIONS

Law 4688 on Public Servants' Trade Unions, which provides for the improvement of public employees' organisation and working conditions, increased efficiency of service, the development of intra-union democracy and participation in governance, was under discussion at the tripartite advisory committee with the participation of public employees' trade unions' confederations since July 2011 and a draft has been drawn up through negotiations with the social partners. The draft, which envisaged amendments to Law 4688, was sent to the Office of the Prime Minister on 24 October 2011, forwarded to the Turkish Grand National Assembly by the Committee of Ministers as of 20 January 2012 and became law as of 4 April 2012 when the draft which was to be debated at the General Assembly of the Turkish Grand National Assembly following the completion of debates at the sub-committees and committees of the Turkish Grand National Assembly was adopted.

By way of the public draft, which was prepared in consideration of the requirements of the EU membership process, the criticisms in the EU Progress Reports, the International Labour Organisation (ILO) standards relating to association and collective bargaining, and the Constitutional Amendments made in 2010:

- The Law's title has been amended to "Law on Public Employees' Unions and Collective Bargaining".
- Candidate state civil servants and public employees on their probation period may become union members.
- The most senior authorities and their assistants in workplaces where 100 or more public employees are employed may become union members.
- Private security personnel in public institutions and organisations may become union members.
- The requirement of two years' service in order to be able to found a union has been abolished.
- The documents required in the establishment of unions and confederations and the bureaucratic process have been reduced.
- The matters which must be included in unions' and confederations' statutes have been simplified.
- It has been made possible for workplace unions to benefit from legal protections.
- The functions and rights of workplace union representatives have been set out.
- A Public Employees' Advisory Board has been set up.

The purpose is to ensure:

- The development of social dialogue,
- The evaluation of legislation on public personnel and of practices in public administration,
- The carrying out of joint projects to bring the administration together into a better functioning structure,
- That public employees are guaranteed to participate in governance,

- **The development of solutions to problems encountered in public administration,**
- **The possibility of public employees concluding a collective agreement in two years.**

It has been provided that the scope of collective labour agreements covers: the coefficient and indicators to be applied for public employees, pension and wages, all types of extras and compensation, supplementary pay, the collective agreement bonus, overtime wages, allowances, bonuses, birth, death and assistance payments, funeral expenses, food and clothing assistance and other financial and social rights. Retired persons shall also benefit from collective agreements.

The parties to collective negotiations shall be the “Public Employees’ Unions Committee” and the “Public Employers Committee”. Public employees working in regional administrations have also been granted the right to sign social equilibrium agreements.