



Capacity building for social dialogue in Turkey

Introduction

Industrial relations context

Social dialogue in Turkey

Human resources

Collective bargaining

International participation

Conclusion

References

Annexes

This report is available in electronic format only.

Introduction

This paper analyses the capacity of Turkey's social partners to effectively engage in social dialogue at various levels. The paper forms part of a wider, comparative project, managed by the European Foundation for the Improvement of Living and Working Conditions (Ireland) and the Work Life Development Programme (Sweden). It is aimed at helping social partners in the 10 new EU Member States and the three acceding and candidate countries (Bulgaria, Romania, and Turkey) to build their capacity for social dialogue with a view to anticipating and managing change. The report concentrates on studying the organisational, financial, and personnel capacities of the national, central organisations of employers and trade unions for anticipating and managing change, anticipating future developments and implementing outputs.

The research was done through interviews with representatives of the organisations. Following a brief introduction regarding the institutional and legal context, the paper reviews in turn the existing organisational, financial, and personnel capacities for social dialogue. This is followed by an analysis of the social dialogue processes at enterprise, national and international levels. The paper concludes with some general comments on the strengths and weaknesses of the existing social dialogue capabilities and the prospects for the future development of effective social dialogue in Turkey

Industrial relations context

Historical background

There are two ages in the history of industrial relations in Turkey. The first is before 1960. The first trade union law was enacted in 1947 and trade unions were subsequently set up in the beginning of the 1950s but without the right to strike or engage in collective bargaining, so as a result trade unions were not fully functional. In the beginning of the 1960s the right to collective bargaining and to strike was covered by a new constitution and acts. The trade unions institutionalised and became fully functional in the second period.

One of the main characteristics that has an important bearing on labour-management relations concerns the attitudes towards 'conflict'. Conflict is regarded as a 'misunderstanding' rather than a disagreement based on conflict of interests. The parties involved believe that their future relationship will deteriorate considerably once they have engaged in defending their interests or views in an aggressive way or on a face-to-face basis. Expressing one's own ideas, criticising the other side, making suggestions and trying to impose new conditions on the pre-existing situation, which are natural components of a democratic process, are regarded as behaviours that may have undesirable consequences. Workers prefer to participate through the use of the third parties, such as elected worker representatives and to refrain from having any influence over the decision making process in a direct, face-to-face relationship (Dereli, 1968).

Institutional involvement in the political arena

In Turkey, there has never been any institutional relationship between trade unions and political parties or groups and it was strictly forbidden to deal with political affairs up to the latest constitution change. In this sense almost all of the confederations including employers' central organisations exist outside of the political arena. For instance the biggest confederation *Türk-İş* keeps out of the political arena as a main strategy in accordance with the decisions of its Seventh General Congress (*Türk-İş*, 1995). This strategy is referred to as 'policy over political parties'. The other confederations also historically had no institutional involvement because of legal restrictions but during the last decade, the process of full membership of the EU has provoked some institutional involvement in the political arena.

Legal framework

One of the main components of the industrial relations system is legislation, and the first labour law enacted in 1936 covered only individual relations between workers and employers. Public employees have a completely different legal status and Turkey was one of the countries prohibiting their right to strike for a long period. Social change was effected by the 1961 constitution, (Gülmez, 2004) when the right to establish a trade union, the right to strike and other fundamentals of industrial relations were introduced in a modern sense (Koray, 2000).

Table 1: *Minimum wages in the formal economy*

YEARS	AVERAGE MINIMUM WAGE (US\$/month)	AVERAGE MINIMUM WAGE (€/month)
1990	116.3	-
1991	137.6	-
1992	156.7	-
1993	171.1	-
1994	102.3	-
1995	122.0	-
1996	147.1	-
1997	161.6	-
1998	154.9	-
1999	203.3	191.7
2000	182.4	198.2
2001	123.6	138.5
2002	156.0	164.6
2003	204.0	180.7
2004	303.4	244.1

Source: *Labour Ministry Statistics*

The essential components of an industrial relations system such as; actors, legislation, climate, etc. have long existed and functioned in Turkey. Unfortunately this has coexisted with a dualistic labour market structure. The first part consists of the informal economy, where there is no social security and no legislative provision at all (Öke, 2005). According to some researchers and official statistics of the State Statistic Institute (DİE) almost half of total employment is in the informal economy. In this sector the average wage is at or below the minimum wage. The formal economy is protected by legislation and collective agreements, with almost 4,000 collective agreements concluded by the social partners every two years. However, the unionisation rate and collective bargaining coverage is extremely limited. Some of the limitations arise from barriers imposed by legislation and others are consequences of the labour market structure. The main legislation related to industrial relations is described in Table 2.

Table 2: *Legislation in the field of industrial relations*

Civil servants	Workers (private and public sectors)
1) Act No. 657 (Year:1965) Title: Public employee law Covers: Individual relations between government and public employee	1) Act No. 4857 (Year:2003) Title: Labour law Covers: Individual relations between employer and workers
2) Act No. 4688 (Year:2001) Title: Public employee trade union law Covers: Public employee unions and confederations	2) Act No. 2821 (Year:1983) Title: Trade Unions law Covers: Both employers' and workers' unions and confederations
3) Act No. 5434 (Year:1950) Title: Social security law of public employees Covers: Social insurance premiums and benefits	3) Act No. 2822 (Year:1983) Title: Collective agreement strike and lock-out law Covers: Collective bargain and agreement, procedure of strike and lock-out
	4) Act No. 506 (Year:1964) Title: Social insurance law Cover: Social insurance premiums and benefits
	5) Act No. 4447 (Year:1999) Title: Unemployment insurance Covers: Unemployment premium and benefits

Social dialogue in Turkey

Participation and social dialogue are insufficient both in legislation and in practice in the industrial relations system in Turkey. Therefore industrial relation actors are not familiar with social dialogue (Eyrenci, 2004). Collective bargaining also suffers from certain limitations. There is only a single example of it in the history of industrial relations i.e. the 'Social Agreement' that was made on 19 July 1978 between the government and the largest trade union confederation, *Türk-İş* (*Türk-İş*, 1995). The agreement established continuous cooperation with the trade unions on issues of economic development and democratic progress, in addition to building close relations on economic and social policy (Langewiesche-Toth, 2001).

The Economic and Social Council (ESC) established in 1995 is the most important institution of social dialogue, although it was not until the amendment of 2001 that its constitution took on the character of a social dialogue body rather than an arm of government. The ESC functions at national level and involves representatives of almost all economic and social partner institutions along with government representatives. The State Planning Organisation provides a permanent secretariat service to the ESC. Generally the Prime Minister or one of the cabinet ministers chairs the ESC meetings. There are also the following committees working on issues delegated by the ESC:

- Industrial relations and employment committee
- Macroeconomic policies committee
- Foreign economic relations committee
- Agriculture and forest committee
- Industry, technology and productivity committee
- Energy committee
- Commerce committee
- Small and medium enterprises (SME) and craftsman committee
- Consumer committee
- Ecology committee
- Regional development committee
- Human resources committee
- Transition to information society committee.

With the exception of the first, almost all committees are not sufficiently active. Only the industrial relations and employment committee meets regularly, preparing reports and demonstrating a clear understanding of the issues. This committee comprises representatives of the central employers' confederation, trade union confederations and some NGOs. This committee prepared a report on promoting employment and combating unemployment and submitted this to the ESC last year, but at the time of writing (July 2005) the ESC had not yet discussed this report (ESC Report, 2004).

After 10 years' experience, there are many complaints related to the representation and function of the ESC. In fact, the social partners are very sceptical concerning the function of the ESC as a social dialogue body. On the other hand there is no institutional body at sectoral level and at regional level there are similar criticisms of the Provincial Employment Committees.

Table 3: *Composition of Economic and Social Council*

Government	Employer	Worker
Prime Minister	Central Organisation of Industry and Commerce Chamber (TOBB)	Confederation of Turkish Trade Unions (Türk-İş)
Deputy Prime Minister	Central Organisation of Employers' Associations (TİSK)	Confederation of Turkish Real Trade Unions (Hak-İş)
Minister of State (Treasure)	Central Organisation of Craftsman (TESK)	Progressive Workers' Union Confederation (DİSK)
Minister of State (State Planning Organisation)	Union of Agriculture Chambers (TZOB)	Some others who will be determined by the Prime Minister
Minister of State (Foreign Trade)	Some others who will be determined by the Prime Minister	
Minister of State (State Personnel Office)		
Finance Minister		
Agriculture Minister		
Labour Minister		
Industry and Commerce Ministry		
Energy Minister		
Deputy Secretary of State Planning Organisation		
Deputy Secretary of Custom		

There are some institutions, bodies and platforms related to social dialogue. One such body is the Turkey and European Community Joint Consultative Committee, which was established in 1963 in accordance with the Ankara Agreement. This committee consists of worker and employer representatives and has regular annual meetings.

The other tripartite institution is the Labour Council, which has existed since 1946; it does not meet regularly but at the behest of the Minister of Labour. The Council has assembled with representatives of social partners and the government to discuss economic and social issues, but it is a purely consultative institution allowing the social partners to express their opinions.

In addition to these bodies there are some different tripartite platforms:

- High Consultation Board of Social Security
- General Assembly and Executive Board of Social Security Institution
- Economic and Social Council
- Employment Board
- Unemployment Insurance Fund Management Board
- National Productivity Centre
- The Board Empowered to Use the Fines Imposed Upon Wages
- Apprenticeship and Vocational Training Board
- Advisory Committee for the EU

- Turkish Patent Institute
- The High Board for Disabled Persons
- National and Regional Work Council etc.
- Council of consumers
- Occupational standards Commission
- Vocational Training Council
- Labour market information and consultation board
- Human rights consultation board.

All of these platforms are consultative organs and they have limited functions to tackle economic and social problems. Almost all central organisations and confederations participate in these bodies. The latest tripartite organ was established by labour law in 2003 and related to industrial relations.

Except for these bodies and institutions mentioned above, there are institutions such as the High Arbitration Board and the Minimum Wage Board that are extremely functional and important as tripartite bodies. Since the 1960s these bodies have regularly undertaken their specified duties through social dialogue.

The collective bargaining system may be considered as a social dialogue platform because it is a really functional platform between trade unions and employer's organisations. Unfortunately due to the legislation, this dialogue can take place only at enterprise level and not at sectoral or national level for blue-collar workers.

There is no reason to be optimistic in the near future, but the process of EU membership might provoke social partners to develop social dialogue arrangements further (Pochet, 2005). Gradually, some steps should be taken in legislation, policy and practice to promote sector and regional level social dialogue (Jepsen and Pascual, 2004).

Social dialogue in vocational education and training

In the last decade very close, very meaningful and important dialogue and cooperation took place in the vocational training field. This took place in different sectors between employer's organisations and trade unions or employer's organisations and Ministry of National Education. In the metal sector, the metal employers union (MESS) set up a vocational centre in metal industry with its counterparts. Secondly, in the textile sector, one of the associations of textile exporters (İTKİB) set up a vocational centre with the Ministry of Education in order to extend the capacity of a qualified labour force in the sector. In Ankara, in the construction sector the employer organisation (INTES) and trade union (YOL-İŞ) set up a vocational training centre in the industrial zone. There are unique models in different locations and sectors (Megep Report, 2005).

There are also very positive and close relations between the private sector and MoNE administration and schools, which belong to MoNE.

Key actors

Table 4 provides some data related to the actors involved in social dialogue in industrial relations.

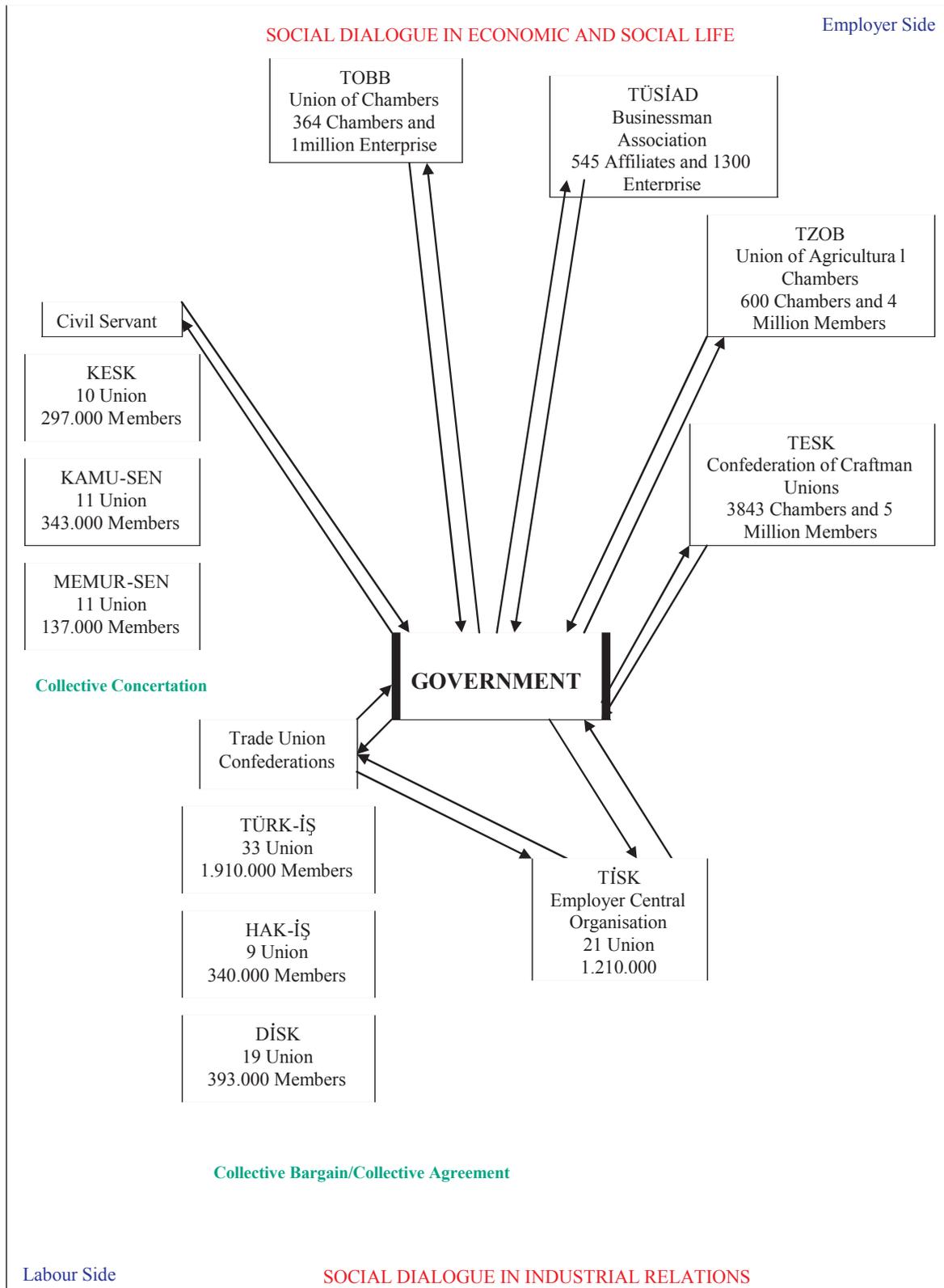
Table 4: *Key social dialogue actors*

Year	No. of Trade Unions		No. of Confederations	
	Workers	Employers	Workers	Employers
1996	114	55	4	1
1997	110	53	4	1
1998	112	53	4	1
1999	107	53	4	1
2000	106	52	4	1
2001	104	49	4	1
2002	99	49	4	1
2003	93	50	3	1

Note: *Trade unions in process of liquidation are excluded from 1992.*

Source: *Labour Ministry Statistics*

Figure 1: Organisational structure of social partners



Established in 1952, **Türk-İş** (The Confederation of Turkish Trade Unions) is the largest central organisation of trade unions having kept for many years the same number of affiliates. According to latest statistics of the Ministry of Labour, the confederation represents 1,910,000 individual members. The confederation estimates show the same figures for the number of individuals but this may decrease in 2005 due to the economic crisis and privatisation. The public sector is an important source of membership but there are activities in other fields. According to the human resource plan the confederation has sufficient educated experts and expects to maintain this number in 2005 and they are increasingly participating in international meetings. Almost all of the staff use computers and have access to the internet. The check-off system is used to collect membership fees, and the financial resources cover not only the staffing costs of unions but also other activities. Neither the confederation nor its constituent trade unions have serious financial problems although in 2005 the organisation's budget may decrease as a result of falling membership.

Table 5: *Confederations and central organisations*

Organisation	Year of establishment	No. of aff. org. 2000	No. of aff. org. 2004	No. of employees 2000	No. of employees 2004	International affiliation
Türk-İş (Worker)	1952	33	33	2,245,000	1,910,000	ETUC, ICFTU
Hak-İş (Worker)	1976	7	9	377,000	340,000	ETUC, ICFTU
Disk (Worker)	1967	22	19	379,000	393,000	ETUC, ICFTU
Tisk (Employer)	1961	17	21	N.A.	1,200,000	UNICE
Memur-Sen (Civil Servant)	1995		11		137,000	-----
Kesk (Civil Servant)	1995		11		297,000	ETUC, ICFTU
Kamu-Sen (Civil Servant)	1992		11		343,000	
TOBB (Employer)	1950		364		1,200,000	EUROCHAMBERAS CAME-BIAC
TÜSİAD (Employer)	1971		545	414,000		UNICE, BIAC
TESK (Employer)	1964		3,483		5 Million	UEAPME, IACME

HAK-İŞ (the Confederation of Real Trade Unions) was founded in 1976 and according to official statistics has 9 affiliated trade unions and 340,000 individual members. The organisation estimates that individual membership will increase in 2005. Private industry and municipalities are the leading sectors for this confederation. There are educated staff working for the central organisation but the number of experts is inadequate. Almost all these people use computers and the internet and in 2005 they expect to increase the number of staff. The check-off system is used to collect membership fees, and the financial resources cover both staffing and other activities. There is no serious financial problem for the affiliated trade unions or the confederation and in 2005 the budget may increase due to new organisation and EU funds.

DİSK (the Confederation of Progress Trade Unions) established in 1967, estimates that the number of affiliates will remain constant and that individual membership may grow slightly due to new organisation activities. The main sectors represented are private industry and private services. The municipal sector is also represented. There are sufficient educated experts and the confederation expects to maintain their numbers in 2005. DİSK representatives frequently participate in international meetings. Almost all staff use computers and the internet. Membership fees are collected through the check-off system and the financial resources cover the staffing costs of the unions and other expenses. In 2005 the budget may increase due to new organisation.

Established in 1961, **TİSK**, (the Confederation of Turkish Employers' Unions) is the single central organisation of employers. The number of affiliates and individual members increases year by year and in 2005 it also anticipates an increase in individual members. The leading sector for the confederation is private industry although public employers' associations are also affiliated to the organisation. There are sufficient educated personnel but they still need some experts such as lawyers. The confederation is planning to hire new staff in 2005. Almost all staff use computers and the internet. There are no financial problems and the budget for 2005 will probably increase due to an increase in the functions performed.

The level of affiliation to TİSK is high for employers' associations. The Confederation represents the private and public sectors together. Affiliates are organised not only in industry but also in service sectors. As an umbrella organisation, TİSK currently covers more than one million workers and represents 8,000 work places. According to regulation companies are member of unions (employers' associations) and only unions eligible to be member of central organisation. TİSK is a social partner and has played a major role in social dialogue processes since the 1990s.

The level of affiliation of employers is not high enough for TİSK but it is very influential as the employer's central organisation because large companies are generally organised in the employers' associations affiliated to TİSK, not the small and medium enterprises. TİSK is involved in some economic and social foundations related to industrial relations such as the Economic Development Foundation, the Economic Research Foundation, the Turkish Foundation for Economic and Social Studies, the Foundation for the Promotion of Vocational Training and Small Industry and the Turkish Foundation for Disabled Persons. TİSK participates in virtually all of the tripartite platforms mentioned above.

MEMUR-SEN (Confederation of Public Employee Unions) is one of the public employee (civil servant) union confederations that are eligible to be involved in collective negotiation. The confederation was established in 1995 and currently has eleven affiliates and 137,000 individual members, representing 9% of the total population of civil servants. The organisation expects membership to increase in 2005. Few staff are employed by the confederation but almost all use computers and the internet. The check-off system is used to collect membership fees for trade unions, the financial resources covering personnel costs in the unions and the confederation.

KAMU-SEN (Confederation of Public Employee Unions) is the largest central organisation of civil service unions and was established in 1992. According to the latest available statistics (July 2004) 11 trade unions are affiliated, representing 343,921 individual members, or 22% of the total civil service population. Membership dues are collected through the check-off system. According to the latest Labour Ministry statistics, Kesk, (Confederation of Public Employee Unions) is the second largest central organisation of public employee unions, representing about 300,000 individual members or 19% of total civil service employment. It was finally established as KESK in 1995 following a long struggle to organise it. The central confederation has close relations with ETUC, ICFTU, PSI, ITF and shares activities with other trade unions such as DGB-Germany; TCO-Sweden; Verdi-Germany.

By law, merchants and industrialists are obliged to register with the Chamber of Commerce in their respective region and are categorised according to their sectors. Therefore **TOBB** (The Union of Chambers Of Commerce, Industry, Maritime Trade and Commodity Exchanges of Turkey) is the largest and effective civilian economic organisation in Turkey; it is also a semi-public organisation. TOBB maintains its power and role of guiding the Turkish economy through its participation in official, social and commercial institutions and establishments. Participation in official foundations includes: National Productivity Centre (MPM); Turkish Standards Institute (TSE); Export Promotion Centre (İGEME); Small and Medium Industry Development Organisation (KOSGEB); Social Insurance Association for Tradesman and Craftsman and Other Freelance Workers (BAĞKUR); the High Committee of Science and Technology, the Central Bank of the Republic of Turkey; and the Credit Guarantee Fund. TOBB as a social partner does not take place directly in the field of industrial relations but indirectly it is an influential central employers' organisation.

TÜSİAD (Turkish Industrialist' and Businessmen's Association) is a non-governmental voluntary association composed of individual members and structured in compliance with the Turkish Law on Associations. As of December 2005, it had 545 members. TÜSİAD also leads the Turkish Enterprise and Business Confederation (TÜRKONFED) which is established by one sectoral and five regional federations with 7,400 businessmen in total. TÜSİAD's membership is composed of owners and managers of individual firms, groups of companies and holding companies operating in the Turkish manufacturing and service sectors. The number of companies represented by these members is approximately 1,300.

TÜSİAD is a member of UNICE (Union of Industrial and Employers' Confederation of Europe). The association has been gaining experience in the process of harmonisation to the EU through UNICE since 1987. TÜSİAD also has been a member of BIAC (Business and Industry Advisory Committee to OECD) since 1999. While not an umbrella organisation, TÜSİAD plays an important role in forming platforms between industrialists' and businessmen's organisations; it also has a seat in the Economic and Social Committee upon the invitation of the Prime Minister. In recent years TÜSİAD has raised the importance of social dialogue and consensus between the social classes and social groups. In order to achieve this goal it has supported very important scientific research in the field of economy, social life, democracy and participation. The association is one of the most prestigious and influential NGOs for the government, bureaucracy and other governmental bodies. TÜSİAD is not a direct social partner in the industrial relations arena but indirectly it is another important social partner like TOBB.

Among Turkey's various civil society organisations, **TESK** (the Confederation of Turkish Tradesmen and Craftsmen) is certainly one of the largest organisations. It constitutes the highest level of professional representation for tradesmen and craftsmen with around five million registered compulsory members from both the production and service sectors. Although small sized, these enterprises nevertheless represent more than 90% of the total number of enterprises. The organisation consists of 3,483 local chambers organised according to professional activities, 82 unions of chambers in each of the provinces and 13 sector federations grouped under TESK as an umbrella organisation.

TESK cooperates with various international organisations in the field of SMEs in Europe such as – Turbo – B.; the Association of Crafts and Small Business and Medium-Sized Enterprises (UEAPME) and the International Association of the Small and Medium-Sized Enterprises (IACME).

Finances

The 1950s marked the beginning of the period of the establishment of trade unions and they experienced financial difficulties until the 1960s when the check-off system was introduced. For the check-off system, every month management deduct a union fee from a salary and transfer it to a bank account on behalf of the union. The main financial resources consist of membership fees for trade unions, which pay affiliation fees to central organisations every month. The amount is determined by the general assembly of the trade unions and central confederation concerned. At the time of writing the trade unions and central organisations have no financial problems. Some unions have established holiday facilities, education centres and other property development initiatives. There is no tradition of financial support by government or any other institutions and no regular external resources, except bank deposit interest and some profits from the stock exchange. Unions and central organisations are able to cover all of their expenses.

Human resources

As shown in Table 6, with the exception of the biggest trade union confederation (Türk-İş), the unions' staffing resources are insufficient. All of the central organisations have too few experts. The education level of staff is very positive, all experts have university or Masters degrees and the rest of the officials have a university degree. The level of computer usage and internet access is very high. Almost all or more than half of the staff in all the union confederations use computers and the internet. The level of staff who speak a foreign language is good and almost all experts speak and understand English.

Table 6: *Staffing in trade union confederations*

Organisation	Number of personnel	Education level of personnel	Use of computers	Use of internet
Türk-İş	82	University/ High School	Almost all	Yes
Hak-İş	31	University/High School	Almost all	Yes
Disk	12	University	Almost all	Yes
Tisk	24	University	Almost all	Yes
Memur-Sen	4	University	Almost all	Yes
KESK	22	University	Almost all	Yes
Kamu-Sen	10	University	Almost all	Yes

Collective Bargaining

In the industrial relations system in Turkey, collective bargaining only takes place at enterprise level. Firstly, according to legislation only company level collective bargains are valid. Additionally some groups have valid collective bargaining but not at sectoral level; some companies come together and make a single collective agreement with an employers' organisation. This collective agreement covers only a particular group of companies. In this process on the employer side there is generally a single employers' organisation and on the workers' side there may be several different trade unions.

Secondly, only trade unions are eligible to make collective agreements; in some cases central trade union confederations are involved in collective bargaining with the government for public sector workers. But this is only a debate between government officials and the trade union confederation rather than collective bargaining. There is little chance that this will change in the near future and there are no initiatives related to teleworking or workplace stress.

Thirdly, there are some barriers in order to be considered eligible to enter into collective bargaining for workers trade unions, which restrict the right use collective bargaining. Lately the government is committed to raise these barriers in order to harmonise legislation with the EU *acquis communautaire*. Meanwhile the employers' side support the barriers for different reasons.

Union density

One of the major problems for social dialogue is the limitation of trade union density and the weak connection between density and collective bargaining coverage. According to the latest statistics of the Labour Ministry (July 2004), union density is as shown in Table 7.

Table 7: *Union density according to statute*

Total number of workers who are eligible to be union members: 4,916,421	Total number of civil servants who are eligible to be union members: 1,564,777
Total number of union members: 2,854,059	Total number of union members: 787,882
Union density: 58.05%	Union density is 50.35%

When we consider workers and civil servants together, as seen in Table 6, union density is more than 50% according to official statistics. In fact these figures do not indicate reality, and the figures are exaggerated for a variety of reasons. According to our calculations union density for workers is about 20%, and according to this calculation the percentage of workers and civil servants combined does not reach 30%. The other problem is the lack of mechanisms to extend collective agreements in the sector to non-unionised workplaces. In fact there is some scope in the act but unfortunately implementation is extremely limited. Therefore collective bargaining coverage is very limited due to a lack of mechanisms when compared with the total number of workers as shown in Table 8 (Öke, 2003).

Table 8: Coverage of collective agreements

Years	Sector	Number of agreements	Number of work - placed involved	Number of workers involved
1996	Public	861	6,971	281,190
	Private	1,010	3,319	234,650
	Total	1,871	10,290	515,840
1997	Public	1,010	10,778	625,670
	Private	1,046	2,188	215,848
	Total	2,056	12,966	841,518
1998	Public	943	4,290	94,871
	Private	924	2,757	124,563
	Total	1,867	7,047	219,434
1999	Public	1,137	9,638	544,995
	Private	1,149	2,735	283,463
	Total	2,286	12,373	828,458
2000	Public	985	2,173	103,124
	Private	661	4,671	105,471
	Total	1,646	6,844	208,595
2001	Public	1,193	9,578	473,845
	Private	3,261	4,633	301,633
	Total	4,454	14,211	775,478
2002	Public	1,113	4,741	131,852
	Private	660	2,712	123,207
	Total	1,773	7,453	255,059
2003	Public	793	5,800	391,526
	Private	814	2,006	237,714
	Total	1,607	7,806	629,240

Industrial disputes

An analysis of industrial disputes highlights some of the key characteristics of the industrial relations system in Turkey. One of the main features is a decrease in the number of industrial disputes in recent decades compared with before the 1980s (Uçkan, 2004). In the last decade the number of strikes and workers involved are quite reasonable, especially in the late 1990s and beginning of this century. The other main characteristic is related to sector. Extremely few industrial disputes occur in the public sector in comparison with the number of disputes occurring in the private sector (Çetik-Akkaya, 1999).

Table 9: *Strike activity by year*

Years	Sector	Number of strikes	Number of work-placed involved	Number of workers involved	Number of work-days not worked
1996	Public	7	26	3,434	79,251
	Private	31	32	2,027	195,071
	Total	38	58	5,461	274,322
1997	Public	3	16	3,362	60,061
	Private	34	41	3,683	121,852
	Total	37	57	7,045	181,913
1998	Public	7	40	4,111	60,035
	Private	37	78	7,371	222,603
	Total	44	118	11,482	282,638
1999	Public	2	3	67	1,917
	Private	32	53	3,196	227,908
	Total	34	56	3,263	229,825
2000	Public	19	187	11,879	132,990
	Private	33	46	6,826	235,485
	Total	52	233	18,705	368,475
2001	Public	4	14	737	18,617
	Private	31	52	9,174	267,398
	Total	35	66	9,911	286,015
2002	Public	8	37	2,735	15,450
	Private	19	25	1,883	28,435
	Total	27	62	4,618	43,885
2003	Public	2	3	8	184
	Private	21	27	1,527	144,588
	Total	23	30	1,535	144,772

Source: *Labour Ministry Statistics*

Civil Servants

There is no right to strike or to insist upon a collective agreement for civil servants' unions. These unions and their central organisations can only negotiate in concertation with the government. If they reach a satisfactory conclusion there is no problem and if not, there is a procedure to follow into compulsory arbitration, but in practice this is not the same as collective bargaining. In this sense it is difficult to understand why bargaining is separated institutionally and legally for civil servants and (public and private sector blue-collar) workers.

There is a lack of financial and institutional capacity of public employee unions due to their late emergence.

International participation

Almost all of the central organisations are affiliated to international federations such as ETUC, UNICE, ILO, OECD (TUAC-BIAC) etc and they are very active in international organisations (Asp, 2002). Therefore representatives of almost all the organisations frequently participate in international meetings. Some have close relations with international institutions and federations and also participate in EU institutions and projects. For instance, all the trade unions that are affiliates of the Türk-İş confederation are members of the following international federations:

- agriculture and wood sector IUF, IFBWW;
- mining, cement and petro chemical sector ICEM, EMCEF;
- textile and leather sector ITGLWF, TCL;
- graphic, office and banking sector UNI;
- metal sector UAMIF;
- transport sector ITF;
- public sector PSI and EPSU.

Trade unions affiliated to the other confederations are also members of some of these international federations.

TİSK as the largest single central employers' organisation also has close relations with international institutions. For example, TİSK as a representative of employers, participates regularly in ILO conferences, is a member of the International Organisation of Employers (IOE), a member of UNICE (the other member from Turkey is TÜSIAD) and participates in OECD-BIAC meetings.

Conclusion

Finally, there are many bodies and platforms related to social dialogue not only in the industrial relations arena but also in economic and social life also. Additionally while the institutional capacity of the social partners is sufficient, they need to be more functional. In some cases the social partners have implemented social dialogue sufficiently i.e. vocational training, arbitration service etc.

Collective bargaining is most successful in the industrial relations arena but there is an urgent need for sectoral level bargaining and national level bargaining in order to extend coverage to the whole economy,

But in general terms and at every level, at national, sectoral, provincial and enterprise level, there are barriers between social partners. In order to destroy barriers, the Economic and Social Council should be very active and comprehensive. Finally, it is worth mentioning that every year there are serious improvement in the understanding of and social dialogue between social partners.

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References

- Asp, U., 'The Trade Union Situation in Turkey', *South East Europe Review* Vol.5-No 3, Baden Baden, 2002.
- Çalışma Bakanlığı, <http://www.calisma.gov.tr>
- Çavdar, T., *Avrupa Sosyal Modeli ve Türkiye Avrupa Birliği İlişkileri*, Bilim ve Sanat Kitabevi, Ankara, 2003.
- Çetik, Mete and Akkaya, Yüksel, *Türkiye'de Endüstri İlişkileri*, Türkiye Ekonomik ve Toplumsal Tarih Vakfı Yayını, İstanbul, 1999.
- Dereli, T., *The Development of Turkish Trade Unionism*, I.Ü Yayınları 1348, İstanbul,1968.
- ESC Report, prepared by sub-committee of 'Employment and Working Life' to ESC, 2004.
- Eyrenci, Ö., 'Avrupa Birliği ve Türk Hukukunda Sosyal Diyalog' *AB Türkiye Endüstri İlişkileri*, Beta Yayınevi, İstanbul, 2004.
- Gülmez, M., 'Türkiye'de Sosyal Politikanın Tarihsel Gelişimi', DİSK-I. Ulusal Sosyal Politika Kongresi, 2004, Ankara, 2004.
- Günlü, R., *Avrupa Birliği'nde İstihdam, Eğitim ve Meslek Eğitimi*, Türkiye-AB Sendikal Koordinasyon Komisyonu Yayın N0: 6 Ankara, 2003.
- Jepsen, Maria and Pascual Amparo Serrano, 'The European Social Model: an exercise in deconstruction' ETUI Brussels, 2004.
- Koray, M., *Sosyal Politika*, Ezgi Kitabevi, Bursa, 2000.
- Koray, M., *Avrupa Toplum Modeli*, Tüses Yayını İstanbul, 2002.
- Langewiesche, Renate and Toth, Andras, *The Unity of Europe- Political, Economic and Social Dimensions of EU Enlargement*, ETUI Brussels, 2001.
- Öke, M. Kemal, 'Yeni Süreç ve Sendikaların Temsil Sorunu', in *Küresel Düzen, Birikim, Devlet ve Sınıflar*, İletişim Yayınları, İstanbul, 2003.
- Öke, M. Kemal, 'Employment and Social Dialogue in Turkey from the Perspective of EU Integration', in *The Enlargement of Social Europe-The Role Of Social Partners In The European Employment Strategy-Part II*, SALTSA-CREER-ESC-ETUI, Brussels, 2005.
- Pochet, P., 'Sectoral Social Dialogue? A Quantitative Analysis' *Transfer*, Vol. 11 No 3, ETUI Brussels, 2005.
- Türk-İş, *Belgelerle Türk-İş Tarihi-2 1963-1980*, Türk-İş Yayını, Ankara, 1995.
- Uçkan, B., 'Türk Sendikacılığına Genel Bir Bakış ve Sendikalar Arası Rekabet', *AB Türkiye Endüstri İlişkileri*, Beta Yayınevi, İstanbul, 2004.
- Winterton, Jonathan and Öke, M. Kemal, Megep Report, SVET-Strengthening of the Vocational Education and Training Project, MoNE, <http://www.megep.meb.gov.tr>, 2005.

Annexes

Annex 1 Strengths and weaknesses of capacities for social dialogue

SWOT

Strengths	Weakness
<ul style="list-style-type: none">Physical and human infrastructureYoung populationDynamic economic performance	<ul style="list-style-type: none">State dominant approaches and structureLow participation rateDualistic labour marketThe gap between union density and collective bargain coverageInsufficient cooperation and collaboration concerning common interestLimitation of collective bargain and strike right for public employees
Opportunities	Threat
<ul style="list-style-type: none">The process of EU membershipStructural reforms realized in the economyProgress on common understanding related to social dialogue	<ul style="list-style-type: none">Pressure of global economyThe size of unregistered economy

Annex 2 Sources

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