

**Small and Medium Enterprises Development  
Organization of Türkiye**



**Türkiye Green Industry Project**

(The World Bank Project ID - P179255)

# **Labor Management Procedure**

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## **Definitions and Abbreviations**

### ***i. Abbreviations***

<b>CBAM</b>	Carbon Border Adjustment Mechanism
<b>CIMER</b>	Presidency's Communication Center
<b>CoC</b>	Code of Conduct
<b>E&amp;S</b>	Environmental and Social
<b>EHS</b>	Environmental, Health, and Safety
<b>ESCP</b>	Environmental and Social Commitment Plan
<b>ESF</b>	Environmental and Social Framework
<b>ESMS</b>	Environmental and Social Management System
<b>ESS</b>	Environmental and Social Standard
<b>EU</b>	The European Union
<b>GIIP</b>	Good International Industry Practice
<b>GM</b>	Grievance Mechanism
<b>GN</b>	Guidance Note
<b>GPN</b>	Good Practice Note
<b>GRM</b>	Grievance Redress Mechanism
<b>ILO</b>	International Labor Organization
<b>IPF</b>	Investment Project Financing
<b>ISO</b>	International Organization for Standardization
<b>KOSGEB</b>	Small and Medium Enterprises Development Organization of Türkiye
<b>KPI</b>	Key Performance Indicator
<b>LMP</b>	Labor Management Procedure
<b>MoIT</b>	Ministry of Industry and Technology
<b>MoTF</b>	Ministry of Treasury and Finance
<b>OHS</b>	Occupational Health and Safety
<b>PDO</b>	Project Development Objective
<b>PIU</b>	Project Implementation Unit
<b>PPE</b>	Personal Protective Equipment
<b>R&amp;D</b>	Research and Development
<b>SEA</b>	Sexual Exploitation and Abuse
<b>SEP</b>	Stakeholder Engagement Plan
<b>SH</b>	Sexual Harassment
<b>SME</b>	Small and Medium-Sized Enterprise
<b>TÜBİTAK</b>	Scientific and Technological Research Council of Türkiye
<b>TSE</b>	Turkish Standards Institution
<b>WHO</b>	World Health Organization

## ii. Definitions

- Child:** Any person below the age of eighteen years
- Community Workers:** People employed or engaged in providing community labor
- Contracted Workers:** People employed or engaged through third parties to perform work related to core functions of the project, regardless of location
- Direct Workers:** People employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project
- Forced Labor:** Work that is performed involuntarily and under the menace of any penalty. It refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities
- Gender-based Violence:** An umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially-ascribed differences between males and females. It includes acts that inflict physical, sexual, or mental harm or suffering; threats of such acts; coercion; and other deprivations of liberty
- Gender Equality:** Provision of equal opportunities to access, participate and use public services to all women and men
- Grievance Mechanism:** A grievance mechanism is a formal complaint process that can be used by individuals, workers, communities and/or civil society organisations that are being negatively affected by certain business activities and operations
- Migrant Workers:** Workers who have migrated from one country to another or from one part of the country to another for purposes of employment
- Primary Suppliers:** Suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project
- Sexual Abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual abuse is a broad term, which includes a number of acts including rape and sexual assault, among others
- Sexual Exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another
- Sexual Harassment:** Any form of unwanted verbal, non-verbal, or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating, or offensive environment
- The Project:** Refers to Türkiye Green Industry Project (P179255)

## 1 Introduction

One of the mandatory documents to be prepared for the Türkiye Green Industry Project (hereinafter referred to as “the Project”) is the Labor Management Procedure (LMP). The LMP of the Project has been prepared in accordance with the relevant national legislation, the Environmental and Social Standard 2 (ESS2) of the World Bank Environmental and Social Framework (ESF) and the relevant Good International Industry Practice (GIIP).

The ESS2 acknowledges the importance of job creation and income generation in the pursuit of poverty reduction and inclusive economic growth. By treating project workers fairly and providing safe and healthy working conditions, the Small and Medium Enterprises Development Organization of Türkiye (KOSGEB) will promote sound worker-management relationships and increase the development benefits of the Project.

This LMP sets out the way in which project workers will be managed and addresses the way in which ESS2 will apply to different categories of project workers, including direct workers. In addition, the LMP defines a systematic approach to the management of labor issues in the Project and reflects the requirements of national law, applicable collective agreements, and requirements of ESS2.

### 1.1 Project Description

The Project Development Objective (PDO) is to support a sustainable and efficient green transformation and growth for industrial firms in Türkiye. The project aims to support industrial exporters to align with new requirements in export markets (e.g., CBAM, the Green Deal, the circular economy action plan, EU product directives), and for Turkish industrial firms to be better connected to green global value chains, develop new green products, and be better equipped to adapt to climate change impacts and adopt relevant mitigation solutions. The project will support manufacturing firms to use resources more efficiently and innovate in their management, production process, and/or products to meet future market demand.

KOSGEB will be a direct Borrower and implementing agency of the Component 1. TÜBİTAK will be a direct Borrower and implementing agency of the Component 2. Ministry of Industry and Technology (MoIT) will be a direct Borrower and implementing agency of the Component 3. Each institution (KOSGEB, TÜBİTAK and MoIT) will undertake stakeholder engagement activities with the target groups based on their specific roles in the overall project. Ministry of Treasury and Finance (MoTF) will guarantee the repayment obligations of the Borrowers in respect to the Loan Agreement.

Environmental and Social Risk Classification of the Project is Moderate. Environmental and social risk is a combination of the probability of certain hazard occurrences and the severity of impacts resulting from such an occurrence. Moderate Risk is one in which the potential for adverse risks and impacts is not likely to be significant.

The project will comprise three components as described below.

**Component 1:** Support manufacturing SMEs improve their energy and resource performance and reduce their carbon emissions.

The component will support manufacturing SMEs in adopting green transition plans to improve their resource efficiency (with a focus on electricity, water, and waste management efficiency). The component will raise the awareness among SMEs about the current and future sustainability requirements in local and export markets, potential technologies to improve firm’s sustainability and their expected impact on firms’ performance, and recommended standards for green sustainability (such as international green product certification - ISO 14067 or equivalent - to facilitate integration in global value chains). The component will provide reimbursable grants to finance SMEs’ plans for upgrading their machinery, acquiring new technologies, attaining technical assistance, obtaining green certifications, and/or other interventions to facilitate a transition

towards a more resource-efficient Industry and circular economy. KOSGEB will manage the implementation of component, building on their experience in providing reimbursable grants to SMEs throughout Türkiye, under the ongoing Bank-funded Rapid Support to Micro and Small Enterprises project, combined with awareness and advisory services to coach SMEs through implementing their green transition plans. KOSGEB will oversee running an application platform, screening SME applications for support along eligibility criteria, and checking that applicant SMEs have no outstanding tax and social security obligations.

KOSGEB will oversee the provision of reimbursable grants to SMEs according to the criteria set by the PIU. These grants will be used to upgrade establishments' machinery and equipment, adopt new technologies, and attain technical assistance to meet, for instance, green standards.

**Component 2:** Support the green innovation of firms.

The component will target all types of firms that are engaged in green innovation activities, which include developing new green technologies, products, or processes that are novel in Türkiye or other markets. The eligible firms could be start-ups, SMEs, or large firms. The component will also support consortia of firms (each typically comprises a large firm and a few SMEs and, in many cases, academic institutions). The eligible activities include research and development, prototype development, standards development, and new product or process development that contribute to greener production or higher energy and/or resource efficiency. The component will provide reimbursable grants to finance firms' plans for implementing green R&D activities, acquiring new or upgrading existing machinery, licensing new technologies, hiring R&D personnel, attaining technical assistance, developing prototypes, filing patents, developing/certifying green standards, and other relevant activities. TUBITAK will manage the implementation of this component, building on their long experience in financing firms, platforms of firms, and startups to diversity into new products, increase R&D activities, and adopt innovate green solutions and technologies detailed in their transition plans. TUBITAK will manage the application process, using firm eligibility criteria and lists of innovation activities eligible for funding. Applicant firms or consortia of firms will have to provide their investment proposals and funding decisions will be made by a panel of experts from different organizations, including also international experts and/or scientists with relevant experience in R&D and other innovation activities. TUBITAK plans to provide grants and matching grants to research institutes, universities, and innovative startups from its own resources, to further support these segments of beneficiaries.

**Component 3:** Technical assistance and project management.

This component will provide technical assistance and capacity building for MoIT and finance the establishment of a Project Implementation Unit (PIU) to manage the implementation of project activities. The PIU will work in collaboration with key implementing partners, including KOSGEB and TUBITAK.

Project Description section of the LMP is an ongoing process and will be updated when more information is available.

## **1.2 Purpose**

The purpose of the LMP is to facilitate planning for the Project and help identify the resources necessary to address the labor issues associated with the Project. The LMP helps to (a) identify the different types of project workers that are likely to be involved in the project, and (b) set out the ways of meeting the requirements of ESS2 that apply to the different types of workers.

The LMP defines the KOSGEB's minimum requirements towards labor management throughout the Project. The LMP seeks to achieve the following specific objectives:

- Promote the fair treatment, non-discrimination, and equal opportunity of workers irrespective of sex, race or ethnic identity.
- Establish, maintain, and improve the worker-management relationship.
- Promote compliance with national employment and labor laws.
- Protect workers, including vulnerable categories of workers such as women, persons with disabilities, workers in the supply chain.
- Promote safe and healthy working conditions, and the health of workers.
- Avoid the use of all forms of forced and child labor.
- Describe the applicable legislative requirements.
- Provide measures and actions for managing labor in keeping with guiding principles and national and international requirements.
- Provide project workers with accessible means to raise workplace grievances.
- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.

The LMP aims to promote fair and equitable labor practices in the Project activities to ensure fair treatment, non-discrimination and equal opportunity for workers. The Project aims to protect the rights of project workers and to ensure management and control of activities that may pose a risk to the labor.

### **1.3 Scope**

Application of ESS2 promotes the implementation of a systematic approach to improving the management of risks and impacts related to labor and working conditions in the Project. The environmental and social assessment identifies the ways in which national law and the requirements of ESS2 are applied to the Project.

This procedure of the Project is supported by the other the Project-specific documents. Those of particular relevance to this document are as follows:

- Environmental and Social Commitment Plan (ESCP)
- Stakeholder Engagement Plan (SEP)
- Environmental and Social Management System (ESMS)

This LMP explains the requirements regarding the labor and working conditions to be applied during the Project stages of Components 1 of the Türkiye Green Industry Project, which will be funded by the World Bank and to be implemented by KOSGEB. This procedure has been adopted by KOSGEB and will apply to all project workers. This procedure assesses potential labor risks and impacts and explains how to mitigate them. KOSGEB will make reasonable efforts to require project contractors or other labor supplying parties to implement this LMP.

This LMP is a dynamic document that will be adapted and updated as and when new information becomes available throughout the lifespan of the Project to ensure its relevancy. The LMP is reviewed as needed during the preparation and implementation of the Project.

## **2 Regulatory and Institutional Framework**

The Project needs to comply with the World Bank's Environmental and Social Framework (ESF) comprising the Environmental and Social Standards as well as national labor related legislation.



## 2.1 National Legislation

The requirements of the Turkish laws and regulations with regards to labor management will be implemented including below:

- Human Resources Regulation of KOSGEB (dated 24.07.2009 and numbered 27298)
- KOSGEB Organization Regulation (dated 01.06.2011 and numbered 27951)
- Regulation on Working Procedures and Principles of Child and Youth (dated 06.04.2004 and numbered 25425)
- Occupational Health and Safety Law No. 6331
- Social Insurance and General Health Insurance Law No. 5510
- Labor Law No. 4857
- State Officials Law No. 657
- Law on Trade Unions and Collective Bargaining Agreements No. 6356
- Law of Obligations No. 6098
- Law on the Work Permit for Foreigners No. 4817
- Regulations on Working Conditions at Night for Women Workers
- Regulations on Overtime and Extra Hours

Labor Law No. 4857 is an umbrella law on labor management in Türkiye. The purpose of this law is to regulate the working conditions and work-related rights and obligations of employers and employees working under an employment contract. The purpose of Human Resources Regulation of KOSGEB (dated 24.07.2009 and numbered 27298) is to determine the procedures and principles regarding the human resources policy and planning of KOSGEB and the personnel affairs of the personnel employed in KOSGEB.

Turkish laws and regulations ensure that the workers are treated well and that their rights are protected including the right to work in a healthy environment. They also include other issues pertaining to working hours, remuneration schemes, prohibition of child labor, etc.

As KOSGEB is a government agency, all labor related conditions are set by above listed laws and regulations are duly enforced. KOSGEB is responsible for reviewing relevant national legislation to capture all requirements. Government civil servants will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement. The above laws and regulations are also complied with for non-state personnel (outsourced experts) recruited for the Project within KOSGEB. In addition, labor and working conditions, and occupational health and safety in beneficiary firms will be considered within the above listed laws and regulations.

## 2.2 International Requirements

The World Bank Environmental and Social Standards (ESSs) set the requirements to be met by Borrowers with respect to the identification, evaluation and mitigation of environmental and social risks and impacts associated with projects supported by the Bank through Investment Project Financing. These standards also set out the World Bank's commitment to sustainable development with the aim of ending poverty and promoting shared prosperity.

### 2.2.1 The World Bank Environmental and Social Standard

The World Bank's stipulations related to labor are outlined in its Environmental and Social Standard 2 on Labor and Working Conditions (ESS2). The Project applies the ESS2 - Labor and Working Conditions. ESS2

recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.

The objectives of ESS2 is to: (i) promote safety and health at work; (ii) promote the fair treatment, nondiscrimination and equal opportunity of project workers; (iii) protect workers including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with ESS2) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate; (iv) prevent the use of all forms of forced labor and child labor (v) support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law; and (vi) provide project workers with accessible means to raise workplace concerns. The applicability and scope of application of ESS2 depends on the environmental and social assessment described in ESS1 and the type of employment relationship between the Borrower and the project workers. Accordingly, relevant aspects of ESS2 will apply to the Project and KOSGEB itself.

Based on the due diligence done, the national legislation meets majority of the objectives, requirements, and prescriptions of ESS2 on working conditions and management of workers relationships and on protecting the workforce and occupational health and safety (OHS issues). The main gap identified between the ESS2 requirements and national labor law is a requirement for workers' grievance mechanism. This gap will be addressed through this LMP. Also, KOSGEB Human Resources policies provide for a grievance mechanism for its employees.

## **2.2.2 Good International Industry Practice**

Good International Industry Practice (GIIP) is defined as the exercise of professional skill, diligence, prudence and foresight that would be reasonably expected from skilled and experienced professionals engaged in the same type of undertaking under the same or similar circumstances globally.

The World Bank requires borrowers/clients to apply the relevant measures (at necessary levels) of GIIP. In this context, GIIBs given below are technical reference documents of the labor related risks and impacts of the Project.

### **i. World Bank Guidance Note 2: Labor and Working Conditions**

This Guidance Note provides guidance for the Borrower on the application of the ESS2, which form part of the World Bank's ESF. The Guidance Note helps to explain the requirements of the ESS2. In case of any inconsistency or conflict between the Guidance Note 2 and the ESS2, the provisions of the ESS2 prevail.

### **ii. World Bank Good Practice Note: Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Human Development Operations (First Edition, September 2022)**

This GPN is developed for task teams supporting Borrowers in identifying, assessing, and mitigating SEA/SH risks in Human Development Operations under the principles and provisions of the ESF.

### **iii. World Bank Good Practice Note: Gender (First Edition, October 2019)**

This GPN explains how the ESF at a project level supports the World Bank's work to close gaps between men and women, girls and boys and enhance women's leadership and voice. Under the ESF, the World Bank has strengthened its commitment to promoting gender equality and inclusion in Investment Project Financing (IPF) operations.

**iv. World Bank Good Practice Note: Non-Discrimination and Disability (First Edition, June 2018)**

This GPN focuses on investment project financing issues relating to discrimination based on disability. Discrimination on the basis of disability means creating a distinction, exclusion, or restriction which has the purpose or effect of impairing or excluding a person with disability from being on an equal basis with others, thereby potentially enhancing the negative impacts of the project or limiting project benefits or being able to voice comments or concerns during stakeholder engagement.

**v. United Nations Guiding Principles on Business and Human Rights**

These Guiding Principles are grounded in recognition of: (a) States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms; (b) The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights; (c) The need for rights and obligations to be matched to appropriate and effective remedies when breached.

**vi. United Nations Universal Declaration of Human Rights**

The Universal Declaration of Human Rights is a milestone document in the history of human rights. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages. The Declaration is widely recognized as having inspired, and paved the way for, the adoption of more than seventy human rights treaties, applied today on a permanent basis at global and regional levels (all containing references to it in their preambles).

**vii. World Bank Group - Environmental, Health, and Safety (EHS) General Guidelines (30 April 2007)**

IFC which is a member of the World Bank Group sets out the General EHS Guidelines. The EHS Guidelines are technical reference documents with general and industry-specific examples of Good International Industry Practice (GIIP) and are referred to in the World Bank's E&S Framework. The World Bank Group requires borrowers/clients to apply the relevant levels or measures of the EHS Guidelines. The applicability of the EHS Guidelines are meant to be tailored to the hazards and risks established for each project on the basis of the results of an environmental assessment in which site-specific variables, assimilative capacity of the environment, and other project factors, are taken into account.

**viii. ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up**

The Declaration on Fundamental Principles and Rights at Work and its Follow-Up was originally adopted by the International Labor Conference in June 1998. Over the subsequent twenty-four years it has become a key international benchmark of labor standards in the context of globalization.

### **2.2.3 International Conventions**

The International Labor Organization (ILO) contributes to this legal framework by elaborating and promoting international labor standards aimed at making sure that economic growth and development go hand-in-hand with the creation of decent work. International labor standards are first and foremost about the development of people as human beings. International labor standards are legal instruments drawn up by the ILO's constituents (governments, employers and workers) and setting out basic principles and rights at work.

ILO states that minimum wage and working-time standards, and respect for equality, can translate into greater satisfaction and improved performance for workers and reduced staff turnover. Investment in vocational training can result in a better trained workforce and higher employment levels. Safety standards can reduce costly accidents and expenditure on health care. In addition, employment protection can encourage workers to take risks and to innovate. Social protection, such as unemployment schemes, and active labor market policies can facilitate labor market flexibility, and make economic liberalization and privatization sustainable and more

acceptable to the public. Freedom of association and collective bargaining can lead to better labor–management consultation and cooperation, thereby improving working conditions, reducing the number of costly labor conflicts and enhancing social stability.

ILO Conventions ratified by Türkiye is summarized as follows:

**i. ILO Fundamental Conventions**

The ILO Governing Body has identified 11 Fundamental Conventions, covering subjects that are considered to be fundamental principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation.

Türkiye has ratified 10 of the Fundamental Conventions for labor management. KOSGEB will comply with the principles and standards embodied in the ILO fundamental conventions related to:

- Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)  
Entry into force in Türkiye on 12.07.1993
- Right to Organize and Collective Bargaining Convention, 1949 (No. 98)  
Entry into force in Türkiye on 23.01.1952
- Forced Labor Convention, 1930 (No. 29) (and its 2014 Protocol)  
Entry into force in Türkiye on 30.10.1998
- Abolition of Forced Labor Convention, 1957 (No. 105)  
Entry into force in Türkiye on 29.03.1961
- Minimum Age Convention, 1973 (No. 138)  
Entry into force in Türkiye on 30.10.1998
- Worst Forms of Child Labor Convention, 1999 (No. 182)  
Entry into force in Türkiye on 02.08.2001
- Equal Remuneration Convention, 1951 (No. 100)  
Entry into force in Türkiye on 19.07.1967
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)  
Entry into force in Türkiye on 19.07.1967
- Occupational Safety and Health Convention, 1981 (No. 155)  
Entry into force in Türkiye on 22.04.2005
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)  
Entry into force in Türkiye on 16.01.2014

**ii. ILO Governance (Priority) Conventions**

The ILO Governing Body has designated four Conventions as governance (or priority) instruments, thereby encouraging member States to ratify them because of their importance for the functioning of the international labor standards system.

Türkiye has ratified 3 of the Governance (Priority) Conventions for labor management. KOSGEB will comply with the principles and standards embodied in the ILO Governance (Priority) Conventions related to:

- Labor Inspection Convention, 1947 (No. 81)  
Entry into force in Türkiye on 15.03.1951
- Employment Policy Convention, 1964 (No. 122)  
Entry into force in Türkiye on 13.02.1977
- Tripartite Consultation (International Labor Standards) Convention, 1976 (No. 144)

Entry into force in Türkiye on 12.07.1993

### 3 Overview of Labor Use on the Project

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. The project will include different categories of workers, who will be engaged in different activities. As per ESS2, this LMP is applicable to two types of workers in this project: direct workers and contracted workers. While the labor requirements for the project have not yet been fully defined, the LMP anticipates the participation of two types of project workers: direct workers, and contracted workers. The list of worker types will be further refined during the implementation stage of the Project.

KOSGEB will be a direct Borrower and implementing agency of the Component 1 of the Project and will establish a Project Implementation Unit (PIU) to manage the activities of the Component 1. The KOSGEB PIU will make every effort to ensure that no children or forced labor are recruited and supplied as workers. Monitoring will also be used to ensure compliance with the ESS2. Any deviation from the ESS2 identified by the KOSGEB PIU will result in action as prescribed in the contract/agreement and consistent with the LMP.

KOSGEB employed a total number of 1917 employees (headquarters and provincial directorates) in 2022. KOSGEB employees are civil servants. As KOSGEB is a government agency no one under the legal age (18 years) is permitted to work within the institution thus no child labor and forced labor related issues exist. All KOSGEB employees have been provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. Table 1 shows the distribution of employees of KOSGEB.

Table 1 Overall Labor Statistics of KOSGEB

	Men	Women	Total
Number of Employees	1271	646	1917
Number of Core Employees (e.g. secretaries, tellers, accountants) Hired by Third Parties	0	0	0
Number of Managerial Positions	120	12	132
Average Employee Length of Service	13	13	13
Annual Turnover Rate (%)	1,49	1,23	1,4

#### Direct Workers

Direct project workers will be KOSGEB PIU employees and consultants. The PIU have managerial, administrative and coordination roles. KOSGEB employees are civil servants, therefore ESS2 provisions on Occupational Health and Safety (OHS), prohibition of child and forced labor will apply to KOSGEB staff. They will remain subject to the terms and conditions of their existing public sector employment agreement.

The independent consultants hired specifically to work in relation to the project will be integrated into the PIU. These workers are engaged through the standard form of Contracts for Consultancy services provided by the World Bank. They will be hired under individual contracts, with different time inputs (full-time or part-time), who will be assigned specific tasks and will have specifically defined responsibilities and services process essential for the core functions of the Project. Therefore, in this Project, direct workers are:

- Staff from KOSGEB (civil servants) that are involved in the Project as a part of the project team.

- External consultants for technical issues (e.g. financial management, environmental and social issues) that will be engaged by KOSGEB.

KOSGEB staff who will work in the Project are civil servants. For civil servants involved in project operations, regardless of whether they work full time or part time, terms and conditions of their existing contracts or appointments in the public sector will apply. When engaging external consultants, provisions of national employment legislation will apply, in parallel with compliance with requirements of this LMP. The estimated number of direct workers in the Component 1 of the Project is not known yet.

#### Contracted Workers

KOSGEB will make reasonable efforts to ascertain that third parties who engage contracted workers are legitimate and reliable entities and have in place labor management procedures applicable to the project that will allow them to operate in accordance with the requirements of ESS2. Contracted workers will have access to a grievance mechanism.

Contracted workers are workers engaged by firms which KOSGEB may hire to provide technical and consulting services.

#### Primary Supply Workers

Primary supply chain workers as provided in the ESS2 definition, will not be engaged in the Project activities under Component 1.

#### Community Workers

Community workers as provided in the ESS2 definition, will not be engaged in the Project activities under Component 1.

## **4 Contractor Management**

Any contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Environmental and Social Framework, OHS Guidelines, Standard Procurement Documents and Turkish legislation.

KOSGEB PIU will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of beneficiary locations and work sites as well as of labor management records and reports compiled by any contractors.

Labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.

## **5 Responsible Staff**

KOSGEB Project Implementing Unit will be responsible for the following:

- Implement this labor management procedure to project workers engaged under Component 1.

- Ensure that contractor(s) comply with this labor management procedures.
- Monitor and report on implementation of project contractors' labor management procedures.
- Monitor that any contractor firms engaged by KOSGEB are meeting obligations towards contracted and sub-contracted workers and in line with ESS2 and national labor code.
- Maintain records of recruitment and employment process of direct workers.
- Monitor employment process of contracted workers to ensure it is carried out in accordance with this labor management procedure and national labor law.
- Monitor that occupational health and safety standards are met at workplaces in line with national occupational health and safety legislation, ESS2 and Occupational Health and Safety Plan.
- Monitor training of the project workers on OHS, SEA/SH prevention, and any other required trainings.
- Ensure that the grievance mechanism for project workers is established, monitor and report on its implementation.
- Monitor implementation of the workers Code of Conduct.
- Establish and implement a procedure for documenting specific incidents such as project-related occupational injuries, illnesses, and lost time accidents. Maintains such records and require from all third parties to maintain them. Such records will form an input into the regular review of OHS performance and working conditions.
- In instances of medium, severe, fatal and mass accidents, and SEA/SH inform the law enforcement bodies and Labor Inspectorate.

The contracted firms engaged to carry out and technical work on consulting services will be responsible to comply with this labor management procedures, and national labor and OHS laws and regulations.

## **6 Assessment of Key Potential Labor Risks**

No major labor risks are envisaged. Overall, the project is expected to have positive environmental and social impacts as it will support firms to reduce their carbon footprint, water consumption and increase their energy efficiency by supporting the uptake of green technologies. The project will mainly finance the purchase of machinery and equipment – green technologies, which will be clearly defined under the project design. The main key potential risks are expected to be associated with labor and working conditions, and occupational health and safety in beneficiary firms. Sexual exploitation and abuse (SEA) and sexual harassment (SH) risks are assessed as low. These risks and impacts are expected to be temporary and reversible, low in magnitude and localized, and can be mitigated through known good management practices and compliance with national laws.

Proceeds from the Bank loan will not be used to finance beneficiaries' activities with impacts on sensitive areas (e.g., nationally and internationally protected areas) and cultural heritage, as well as activities involving child and forced labor.

Civil works are not expected within the scope of the Project.

If project activities are carried out while COVID-19 pandemic is still active, project workers could be exposed to the risk of COVID infection in the workplace. COVID-19 prevention measures will be included in the OHS section of the LMP as guided by WHO guidance.

The key labor risks which may be associated with the Project are outlined below Table 2 as well as proposed mitigation measures.

Table 2 Project Labor Risks and Proposed Mitigation Measures

Key identified labor risk	Description	Proposed mitigation measures
Unfair treatment or discrimination of project workers	Project workers could be subjected to unfair treatment or discrimination on the basis of personal characteristics unrelated to job requirements, such as race, gender, religion and sexual orientation. These risks apply to both civil servants and workers employed and engaged by the PIUs, as well.	Labor Management Procedures for Component 1 prepared as part of the Project. Requirement for fair recruitment policies and enforcement of zero tolerance to discrimination. To be addressed through awareness, monitoring and enforcement of compliance with the CoC. All workers shall be recruited under specific term and conditions based on national law and project agreement. Workers have the right to form or join a workers' organization such as a union.
Physical, psychological or sexual abuse of project workers	Project workers could be exposed to physical, psychological or sexual abuse and sexual harassment. Risks include both physical forms of abuse (such as violence and sexual assault) and non-physical forms (such as verbal abuse, bullying and unwanted sexual attention). These risks apply to workers employed and engaged by the PIUs.	The Project will adopt a zero-harassment policy for all workers, reflected in the Code of Conduct. The Project GRM will be available to all workers. Awareness raising and training will be conducted for all employees reviewing the terms and conditions of these procedures and tools. The Code of Conduct, which will prohibit any form of harassment, will be integrated into contracts of KOSGEB PIU. The Code of Conducts will be signed prior to commencement of works.
Gender-based violence (GBV)	GBV refers to inappropriate or criminal behavior, such as sexual harassment of a person, exploitative sexual relations, and illicit sexual relations with minors from the local community. GBV also includes any exploitative sexual relationships and human trafficking whereby women and girls are forced into sex work.	All project workers' contracts will include a Code of Conduct with GBV provisions. Project workers will be provided GBV orientation. GBV considerations are included in the GRM for project workers.
Transmission of COVID-19 or other communicable diseases	Activities under all project components involve travelling. Project staff and stakeholders may travel to participate in gatherings of large numbers of people, including workshops, seminars, community meetings and training events. Such activities have an elevated risk of transmission of COVID-19 or other communicable diseases.	Adherence to WHO guidance, and compliance with national laws and regulations.
Grievance Mechanism	Lack of adequate and accessible GRM, lack of awareness about GRM, non-functionality of GRM	Grievance Redress Mechanism should be accessible for workers under Component 1 of the Project.

No other labor related risks are considered to be relevant for the Project workers under Component 1. However, in case they arise, KOSGEB will revise this LMP to prevent further any negative impact.



## **7 Working Conditions and Management of Worker Relationships**

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. KOSGEB will ensure that:

- All national legislative requirements are stipulated in employment contracts (written) which are signed prior to the start of employment (not later than commencement of the employment),
- All workers are verbally informed of the nature and duration of their employment, their contracted hours of work, leave entitlements and other legal rights, and require contractors to do the same for their workers,
- Workers are paid on time, without deductions being made unless these are stipulated in their contract,
- Where workers are members of a trade union, they will not be prevented from exercising rights in accordance with the national law,
- All workers to sign the KOSGEB's "Code of Conduct" detailing expected behaviors and rules to be upheld to minimize the risk of anti-social behavior,
- Contract termination and redundancies are managed in accordance with relevant national law in Türkiye and ESS2,
- At the request of the individual Project's worker, KOSGEB will agree to prepare a letter of recommendation to include: i) duration of their employment; ii) the role and the nature of the tasks they carried out for the Project; iii) comment on employee's character; and iv) recommendation for future employment (only if this is the case and if based on merit; it is illegal to misrepresent the worker).

### **7.1 Terms and Conditions of Employment**

According to the Labor Law No. 4857, the main categories of employment contracts are:

- Fixed-term (fixed-duration) and Indefinite-term (undetermined duration) Employment Contracts
- Full-Time and Part-Time Employment Contracts,
- Permanent and Temporary Employment Contracts,
- Seasonal Employment Contracts (Indefinite-Definite Duration),
- Work-on-Call Contracts,
- Employment Contracts With or Without Trial Periods,
- Team Employment Contracts.

According to the article 10 of Labor Law No. 4857, employment lasting only up to 30 days is temporary and longer-term employment is defined as permanent. If employment is temporary, the provisions of the Law on Debts are applied in certain matters defined in the Labor Law.

Article 5 of the Labor Code No. 4857 adopts the principle of equal treatment of all employees. According to this; unless there are substantial grounds, employers cannot treat a part-time worker against a full-time worker and a fixed-term worker against an indefinite-term worker.

### **Wages and Deductions**

Article 32 of the Labor Law No. 4857 defines wages in general as “the amount provided to a person by the employer or third parties in exchange for a job and paid in money”. Without discrimination, every worker has the right to be paid for the work he/she conducts. A worker’s salary cannot be lower than the minimum wage set by the state. There is a national minimum wage that applies to all workers in Türkiye. According to Article 39 of the Labor Law; Minimum limits of wages are determined by the relevant commission of the Ministry of Labor and Social Security no later than every two years.

Pursuant to Article 34 of the Labor Law No. 4857; a worker whose wage is not paid within twenty days from the date of payment, except for force majeure, may refrain from fulfilling his/her obligation to work. For this reason, the failure of the workers to fulfill their duty to work based on their personal decisions cannot be qualified as a strike, even if it gains a collective character numerically. The highest interest rate applied to the deposit is applied for the fees not paid on the due date. Therefore, these workers cannot be replaced with new workers, their employment contracts cannot be terminated based on they do not work and their jobs cannot be completed by other workers.

In accordance with Article 38 of the Labor Law No. 4857; the employer cannot impose a wage cut penalty to the worker, except for the reasons stated in the collective agreement or employment agreements. The deductions to be made as a penalty from the wages of the workers must be notified to the worker immediately, together with the reasons. The deductions to be made from the wages of the workers in this way cannot exceed the amount of two daily wages in a month or, in case of the wages given per piece or according to the amount of work done, two days of earning. That money is deposited within one month from the date of issue to one of the banks established in Türkiye that has the authority to accept deposits to be specified by the Ministry of Labor and Social Security account for the education and social services of the workers. Every employer is obliged to keep a separate account of these funds in the workplace.

Equal wage policy for equal work for women employees will be implemented. Positive discrimination will be applied to female candidates during the recruitment process.

### **Working Hours**

According to the Labor Law No. 4857; in general, the working time is a maximum of forty-five hours per week. Unless otherwise agreed, this period is applied by dividing it equally into the working days of the week in workplaces.

Pursuant to Article 63 of the Labor Law No. 4857, with the agreement of the parties, the weekly normal working time may be distributed differently to the working days of the week, provided that it does not exceed eleven hours per day. In this case, the average weekly working time of the worker within two months cannot exceed the normal weekly working period. The equalization period can be increased up to four months with collective bargaining agreements.

In accordance with Article 67 of the Labor Law No. 4857, the starting and ending times of daily work and the rest hours are announced to the workers at the workplaces. Depending on the nature of the work, the start and end times of the work can be arranged differently for the workers.

### **Rest Breaks**

Workers are allowed to rest for at least twenty-four hours (weekly rest day) uninterrupted in a seven-day period, provided that they have worked up to 45 hours on the days before the weekly rest day. According to the law, employers are not entitled to deduct this weekly rest period from their worker’s wages. In addition, Article 68 of the Labor Law states that workers have a rest period that varies depending on the working time. Each

worker has the right to a break of 15-minute break for work lasting up to four hours; a 30-minute break for work lasting up to 7.5 hours, and a one-hour break for work lasting more than 7.5 hours.

These rest periods are the minimum duration and must be given continuously. However, these periods can be used intermittently with contracts, taking into account the climate, season, traditions in that place and the nature of the work. Rests can be given to workers at the same or different times in a workplace. Breaks are not counted as working time.

### **Leave**

According to Article 53 of the Labor Law, workers who have served at least one year in the workplace, including the trial period, are granted annual paid leave. The duration of the workers' annual paid leave is;

- If the service period is between one and five years, fourteen days (including five),
- Twenty days if more than five years and less than fifteen years,
- Twenty-six days (including fifteen) if fifteen years or more.

The annual paid leave duration cannot be less than twenty days for workers who are over the age of fifty. The provisions of this Law regarding annual paid leave do not apply to workers, working in seasonal or other jobs lasting less than one year in nature.

According to Article 55 of the Labor Law, national holidays, weekly rest days and public holidays that coincide with the annual leave period cannot be included in the annual leave period.

According to Article 74 of the Labor Law, female workers cannot be employed for a total of sixteen weeks, eight weeks before giving birth and eight weeks after giving birth. In the case of a multiple pregnancy, an additional two weeks is added to the eight weeks before the delivery, during which female workers must not work. However, if she wishes, a female worker can work at the workplace for up to three weeks before giving birth, providing a doctor's report that proves her health condition is suitable. In this case, the duration of work will be added to the leave duration granted to her after the birth.

If the female worker wishes, she is given unpaid leave for up to six months after the end of the sixteen-week period, or after the end of the above-mentioned eighteen-week period in case of multiple pregnancy. This period is not taken into account in determining the one-year service period for the worker's annual paid leave entitlement.

A total of one and a half hours of breastfeeding leave is given to female workers so that they can feed their children under the age of one. The worker decides for herself when and how many times she will use this leave. The length of the maternity leave is considered as part of the daily working time.

### **Overtime Work**

According to Article 41 of the Labor Law; overtime work is working more than forty-five hours per week limit regulated within the framework of the conditions written in the law. An employer may require workers to do overtime. Worker consent is required for overtime work. Total overtime may not exceed two hundred and seventy hours per year.

For each overtime hour, wages are paid by increasing the amount per hour of normal work wage by twenty-five percent per hour.

Pregnant women and breastfeeding mothers cannot be required to do overtime work.

### **Labor Disputes**

Under the Labor Law, employers can terminate contracts in two ways: (i) to give a valid reason (Articles 18-19) or (ii) termination with a valid reason (Article 25). If the contract of a worker with at least six months of seniority in a workplace with at least 30 employees is terminated, the worker may benefit from certain protections under the Labor Law. In order to terminate the employment contract effectively, the worker must be given a written notice and the legal notice periods must be followed. However, in some cases, employers may terminate the employment relationship for a fair reason (for health reasons, immoral, dishonorable or malicious behavior or other similar behavior, force majeure). In these cases, the employer is not obliged to comply with the legal notice periods and may terminate immediately.

Türkiye's labor legislation contains provisions that allow workers to resolve disputes where there is a dispute between employer and worker about the essential terms and conditions of an employment contract or other aspects of work. Such disputes will be resolved in accordance with the Law on Mediation in Civil Disputes No. 6325 and Article 20 of the Labor Law No. 4857.

In accordance with the provisions of the Labor Courts Law, the worker whose employment contract is terminated, must apply to a mediator with an allegation that no reason is given in the termination notice or that the reason shown is not valid; and should make a request for reemployment within one month from the date of notification of the termination notice. If an agreement cannot be reached at the end of the mediation activity, a lawsuit can be filed in the labor court within two weeks from the date of the last report. If the parties agree, the dispute can be brought to a special arbitrator instead of the labor court at the same time. In case of procedural rejection of the case due to direct litigation without contacting the mediator, decision shall be notified ex officio to the parties. An application to the mediator can be made within two weeks from the ex officio notification of the finalized refusal decision. The burden of proving that the termination was based on a valid reason shall rest on the employer. If the worker claims that the termination is based on another reason, he is obliged to prove this claim.

When it is determined by the court or the private arbitrator that no valid reason is given or the reason shown is not valid, and the termination is rejected, the employer has to recruit the worker within one month. If the employer does not recruit the worker within one month upon application, he/she is obliged to pay the worker a compensation in the amount of at least four months and maximum eight months' wages. If the worker is not recruited to work after the invalid termination decision, decision maker court or special arbitrator also resolve the amount of compensation to be paid. For the period of not working until the finalization of the decision, the employee is paid the wage and other rights that have arisen, up to a maximum of four months. The court or special arbitrator determines the compensation regulated in the second paragraph and the fee and other rights regulated in the third paragraph in monetary terms, based on the fee rates on the date of the case. The worker has to apply to the employer to start work within ten working days from the notification of the finalized court or special arbitrator decision. If the worker does not apply within this period, the termination made by the employer is considered a valid termination and the worker is only responsible for the legal consequences of this.

### **Disciplinary Investigations**

KOSGEB is committed to ensuring that all potential infringements of disciplinary rules are fully investigated. This may entail carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analyzing written records and information. It may also involve a search of the employee's person and/or property. The investigation report, details and plan will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.

Where an employee is called to attend an investigatory interview, the invitation will be in writing and it will be made clear that this is not a disciplinary hearing. The employee will be allowed to bring a representative, colleague to attend the investigatory interview and will be informed of all details prior to the meeting.

### **Anti-Harassment and Bullying Policy**

Anti-Harassment and bullying is covered by Labor Law and Criminal Law. KOSGEB's policy covers harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions. It covers bullying and harassment by staff and also by third parties such as customers, suppliers or visitors to premises. Breach of this policy by an employee will be dealt with under the Project's disciplinary procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal. Managers have a specific responsibility to operate within the boundaries of this policy and to facilitate its operation by ensuring that workers understand the standards of behavior expected of them and by identifying and acting upon behavior that falls below these standards. All workers are responsible for treating their colleagues with dignity and respect. For the success of this policy everyone should ensure that they take the time to read and understand it. Every worker at the Project should consider whether their words or conduct could be offensive to others. Harassment and bullying behavior may not always be intentional but it is never acceptable. Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of affecting a worker's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, color, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories. A single incident of unwanted or offensive behavior to one individual can amount to harassment. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Bullying is offensive, intimidating, malicious or insulting behavior which, through the abuse or misuse of power, makes the recipient feel vulnerable, upset, humiliated, undermined or threatened. Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual's self-confidence, competence and self-esteem. As with harassment, bullying can take the form of physical, verbal and non-verbal conduct.

### **Absence Control Policy**

It is recognized by the Project that from time-to-time staff may require to be absent from their place of work due to illness (sick leave) or death in the family (compassionate leave). The length of time lost by employees through sickness or death in the family must however be monitored to ensure that each member of staff can do their job, effectively and without putting themselves or others at risk.

It is not the intention of the Project to penalize the genuinely sick; however, it must be recognized that an employee who is medically unfit to carry out his/her contractual duties may not be able to continue in employment. Managers will consider cases of sickness absence on an individual basis and ensure the provision of appropriate support, advice and Doctor input where necessary. However, it is recognized that in some cases, patterns/levels of absence will be unacceptable and formal management action will be required.

Employees who become aware that they have an illness problem shall inform their manager at the earliest opportunity. All such requests will be dealt with as speedily and reasonably as possible. Proper sick leave register must be maintained as prescribed, and approval from the Project Manager in PIU must be obtained.

### **Smoking, Alcohol and Non-Prescription Drugs**

The Project intends to protect non-smokers from the effect of smoking. KOSGEB's common areas are non-smoking areas (except for designated areas set outside the building for smokers).

The Project does not permit the consumption of alcohol and nonprescription drugs while on duty. A person who reports to work in an impaired condition or to unlawfully possess drugs while on duty or at a work site will be treated with appropriate disciplinary action.

### **Responsibility towards Nature and Environment**

KOSGEB adopted as principle not to damage environment with its activities. With this aim, the Project workers are responsible to support all activities planned about protection of environment and efficient utilization of natural sources, and act in compliance with the related legislations.

### **Gifts, Donations and Charities**

The Project workers cannot accept gifts from beneficiaries or suppliers except symbolic gifts, and cannot drop a hint. They cannot accept any gift, money, check, possession, free vacation, special discount, etc. that shall put the Project under obligation. Books, gifts with company logo, flowers, chocolate, etc. received at New Year are out of this scope. Such gifts should be reasonable. Gifts accepted compulsorily within the borders of courtesies are donated so that they can be utilized in the charity sales to be organized by the foundations and benevolent associations.

### **Principle of Confidentiality of the Project Information**

The Project workers are obliged to protect all the Project information (information, documents, software, methods, know-how, trade secrets, etc.) whether or not their confidentiality is clearly stated; to know the confidentiality level of the information he/she acquires as a result of his/her job, and to share these information with 3<sup>rd</sup> persons only in accordance with the "need-to-know" principle. This obligation of the workers shall survive even if their professional relation with the Project ends for whatever reason.

If employee is doubtful about the confidentiality level of the information he/she acquired/utilized, he/she takes the opinion of the Project Manager in PIU. All kinds of documents, records, pictures, texts and other documents containing these information may not be changed, copied, may not be given to a person or company not under the structure of the Project, may not be destroyed or disposed of beyond the knowledge of the Project Manager in PIU. These information may not be talked about in public places. Archiving, storage, reproduction, making a backup and taking the necessary measures to prevent their disclosure are under the responsibility of the employee who produces and uses these information.

### **Human Rights Policy**

The human rights policy includes the following topics:

- Incorporate respect for human rights into management, governance practices and programs as defined in the International Labor Organization's Declaration on Fundamental Principles and Rights at Work.

- Not discriminate against any individual on the basis of race, color, national or ethnic origin, religion, age, sex, sexual orientation, sexual minorities, religious minorities, ethnic minorities, gender identity or expression, marital status, family status, pregnancy, disability, genetic characteristics or any other arbitrary characteristic unrelated to the individual's job performance.
- Promote diversity at all levels of the Project.
- Subscribe to the principle of informed consent when working on private land.
- Strive for continuous improvement in upholding and respecting human rights through ongoing dialogue with internal and external stakeholders.
- Continue to not engage in all forms of child labor, forced labor and modern slavery for all activities in which the Project is engaged and across the entire supply chain.
- Establish confidential mechanisms to identify receive and respond to human rights and ethical concerns from any stakeholder and in a neutral manner.

### **Utilization and Protection of Resources**

Assets, opportunities and employees of the Project funded by World Bank may not be utilized other than the businesses and purposes of the Project regardless of the name and for whoever and to whose profit.

The Project workers should utilize properties, money, materials, equipment of the Project in accordance with the related limitations and instructions specified by the World Bank. They should exercise due respect in order not to waste or lose them intentionally. Employees are obliged to take all precautions and exert all kinds of efforts in order not to endanger work safety and resources of the Project. Principle of "saving in every way" is applied by all employees so that superior will set an example for the subordinate.

### **Collective Dismissal**

Labor Law 14857 Article 29. States that when the employer contemplates collective terminations for reasons of an economic, technological, structural or similar nature necessitated by the requirements of the enterprise, the establishment or activity, he shall provide the union shop-stewards, the relevant regional directorate of labor and the Public Employment Office with written information at least 30 days prior to the intended lay-off. A collective dismissal occurs when (i) in establishments employing between 20 and 100 employees, a minimum of 10 employees; (ii) in establishments employing between 101 and 300 employees, a minimum of 10 percent of employees; and (iii) in establishments employing 301 and more workers, a minimum of 30 employees, are to be terminated in accordance with Article 17 on the same date or at different dates within one month.

### **Severance Payment**

Upon termination of the employment contract, employees are entitled to a severance payment on the condition that the employee has completed at least one year of continuous employment. This payment is calculated by multiplying the number of years of employment with the employee's monthly salary at termination. If the employer terminates the employment contract under just cause based on health reasons or force majeure, the employer must give severance pay to the employee, if applicable. However, if the employer terminates the employment contract under just cause on grounds of immoral and dishonorable acts of the employee, the employer is not liable to pay severance. If the employee terminates the employment contract for just cause, the employer must pay severance in all cases. However, where the employee terminates the employment contract at will, without the presence of any cause set out under the Labor Code, the employer is not liable to pay severance to the employee (unless the employee terminated the contract due to factors such as military duty or marriage).

### **Termination of an Employment Contract**

Under the Labor Code, employers can terminate contracts in two ways: (i) showing a valid reason (Art. 18-19) or (ii) breaking the contract for a just cause. Employees who have completed 6 months of employment in a workplace that has at least 30 workers, can benefit from certain protections under the Labor Code, protecting the worker from arbitrary termination of his/her contract. In order for the termination of an employment contract to be valid, a written notice must be given to the employee and legal notice periods must be respected. However, in certain cases, employers can terminate the employment relationship on the basis of a just cause (for reasons of health, for immoral, dishonorable or malicious conduct or other similar behavior, force majeure). In these cases, the employer is not obliged to comply with the legal notice periods and can terminate it immediately. For further details, please see, Labor Code, Art. 24-26.

## **7.2 Nondiscrimination and Equal Opportunity**

Article 5 of the Labor Law of Turkey regulates the prohibition of discrimination in employment. According to that article 'no discrimination based on language, race, sex, political opinion, philosophical belief, religion and sex or similar reasons is permissible in the employment relationship. Except for biological reasons or reasons related to the nature of the job, the employer must not make any discrimination, either directly or indirectly, against an employee in the conclusion, conditions, execution and termination of his/her employment contract due to the employee's sex or maternity'. The same article also serves as a base for the principle of equal pay for equal value of work by stating that 'differential remuneration for similar jobs or for work of equal value is not permissible'.

The Project is expected to demonstrate that they do not allow discrimination based on race, color, sex, national origin, age, religion, marital status, sexual orientation, disability, or any other characteristic protected by law e.g., HIV status.

The Project will provide all workers with a workplace free of harassment, intimidation, coercion and retaliation. All workers will receive equal remuneration for work of equal or equivalent value, without discrimination based on gender. Equality of treatment and prohibition harassment in the workplace, commitment on continual improvement, consultation and participation of workers will be promoted. Employment decisions, such as recruitment, dismissal, promotion, will be transparent and will not be made (directly or indirectly) on the basis of personal characteristics such as sex, race, nationality, etc., but rather on the ability to do the job.

KOSGEB will comply with the requirements of ESS2 and all national employment requirements, and ensure their employees act in a manner that their actions are not considered sexual harassment, demeaning or intimidating in any way.

There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment.

The following measures will be followed by KOSGEB to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.



- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract.
- Consultants will be informed at least two months before their expected release date of the coming termination.
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.
- It is noted that language-related problems are not expected, but if they are, interpretation will be provided for workers as necessary.
- Foreign workers will require residence permits, which will allow them to work in Türkiye.

A code of conduct (CoC) for Project staff is given in Appendix 1. The code addresses the provisions on non-discrimination and human rights.

### **7.3 Worker's Organizations and Freedom of Association**

Employees working under the structure of the Project can become a member of a union, and carry out union activities within the framework of rules defined in the law. Collective labor agreements that stipulate working conditions of the employees within the structure of the Project can be concluded between KOSGEB and trade unions.

Workers and public servants have different union legislation. Workers are covered by the Unions and Collective Agreements Law No. 6356 (dated on 07.11.2012, Official Gazette No. 28460). There are four types of collective agreements regulated by local law: workplace collective bargaining agreement, enterprise collective agreements, group collective agreements and framework agreements. A workplace agreement is created for a workplace, while an enterprise level agreement is created for more than one workplace in the same industry, owned by the same employer. A group collective agreement can be created between a trade union and an employers' union for workplaces in the same industry, owned by different employers.

Without exception, KOSGEB respects the right for workers to establish and join organizations of their own choosing without previous authorization. Workers organizations will be allowed to organize freely and not be liable to be dissolved or suspended by administrative authority and they will have the right to establish and join federations and confederations, which may in turn affiliate with international organizations of workers.

Workers will not be subject to anti-union discrimination, including acts or omissions by KOSGEB that relate employment status to union membership or participation.

The Project will comply with the principles and standards embodied in the ILO conventions related to the freedom of association and collective bargaining - ILO conventions 87 (freedom of association) and 98 (right to collective bargaining).

## **8 Protecting the Work Force**

The Project is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, color, nationality, ethnic origin, gender, marital status, disability or religious beliefs.

## 8.1 Child Labor and Minimum Age

Under no circumstances will a child under the age of 18 be employed or engaged in connection with the project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.

Without exception, all workers are expected to meet the minimum age for general employment set by the Regulation on Working Procedures and Principles of Child and Youth, Official Gazette No. 25425. It is not expected to engage any workers under the age of 18 without justification, and the Project shall never employ anyone under the age of 18 years old.

According to the labor law, it is prohibited to employ children below the age of 15. Turkish Labor Law sets the minimum age at which a child can be employed as well as the conditions under which children can work (Article 71, Chapter 4). The minimum employment age is 15 according to the law, but in certain cases of vocational training, mild work may be allowed for 14-year-old. It is also forbidden to employ children below the age of 18 for certain hazardous jobs and for jobs that require night shifts.

Project contractors, if any, will be asked to verify the age of all workers and suppliers who are going to work for the Project. This will require employees to provide official documents that may include their birth certificate, ID card, passport or driver's license.

If a child under the minimum age for the Project activities (18) is found to be working on the project, immediate measures will be taken to terminate the child's employment responsibly, taking into account the best interests of the child.

The minimum working-age in this project will be 18 years of age. The national legislation prohibits child labor. Persons under the age of 18 years will not be allowed to be engaged in hazardous work.

KOSGEB and any contracted firms under the project will be required to verify the identity and the age of all workers. This will require workers to provide official documentation to verify age such as a national identification card, passport, driver's license, birth certificate, valid medical or school records.

If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, taking into account the best interest of the child.

## 8.2 Forced Labor

Turkish Labor Law does not cover forced labor issues. However, the Constitution of the Republic of Turkey, Article 18 prohibits forced labor. "No one shall be forced to work. Forced labor is prohibited. Work required of an individual while serving a sentence or under detention provided that the form and conditions of such labor are prescribed by law; services required from citizens during a state of emergency; and physical or intellectual work necessitated by the needs of the country as a civic obligation shall not be considered as forced labor."

Article 80 of the Penal Code penalizes human trafficking and Article 117 penalizes violation of the freedom to work and labor. Türkiye has ratified the ILO Convention No. 29 on Forced Labor and ILO Convention No. 105 on the Abolition of Forced Labor.

Without exception, all forms of forced or compulsory labor will be prohibited. Forced labor is defined as all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

KOSGEB will ensure that all its employees engaged in the Project enter into employment freely and voluntarily, without coercion or penalty and that no form of forced, bonded or involuntary prison labor is used.

No employee under the structure of the Project or any contracted workers employed in the Project and in the offices will be forcedly or punishingly worked. Employees will be free to terminate their employment in accordance with national law.

## **9 Grievance Mechanism**

The main objective of a Grievance Mechanism (GM) is to assist to resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. Specifically, it provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GRM:

- Provides affected people with avenues for making a complaint or resolving any dispute that may arise during the course of the implementation of projects;
- Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoids the need to resort to judicial proceedings.

### **9.1 KOSGEB's Grievance Redress System for Workers**

KOSGEB aims to meet the needs and expectations of its employees through a grievance mechanism. There is an internal grievance mechanism for KOSGEB employees including direct workers and contracted workers to receive, recognize, classify, investigate, respond and resolve complaints in a timely, planned and respectful manner. Such workers have been informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. All KOSGEB employees have the right to file their grievances and requests and to bring a lawsuit due to the administrative procedures applied to them by their supervisors or the workplace. The grievance mechanism has been adapted to receive sexual exploitation and abuse and sexual harassment complaints.

KOSGEB is currently maintaining a Grievance Mechanism (GM) for workers, which is based on KOSGEB's existing communication channels. The processes of the GM for workers are operated through the means of the following grievance mechanisms:

- a. Application with petition
- b. Sending direct e-mail to the KOSGEB PIU (to be announced)

Grievances will also be able to be filed verbally. Grievance database to facilitate tracking, analysis, and monitoring logbook will be maintained in the KOSGEB PIU office. The GM for workers will be based on the following principles:

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances.
- Any grievances will be treated confidentially.
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- KOSGEB Human Resources Management and KOSGEB PIU will treat grievances seriously and take timely and appropriate action in response.

#### **a) Application with petition**

Project workers will be able to report their grievances with a petition to the KOSGEB Human Resources Department. Project workers have the right to submit suggestions, express concerns and grievances related to

the workplace, and to file complaints and lawsuits due to the administrative actions and procedures applied to them by their supervisors or the workplace. KOSGEB Human Resources Department forwards the grievance to the relevant department bypassing the complained supervisors. Grievances are managed starting with the closest supervisor, bypassing the supervisors who are complained. The deficiencies and non-criminal irregularities identified in the petition are resolved by the supervisors who accept the grievance. These principles are also followed in verbal grievances. All personnel have the right to fill out a petition and submit it to the KOSGEB Human Resources Department. The contact information for the KOSGEB Human Resources Department is given below.

*KOSGEB Human Resources Department*

*Address:* KOSGEB Headquarters, 06050 Ulus, Altındağ, Ankara

*Location:* 13<sup>th</sup> floor

*Phone:* 2895

If the issues stated in the petition require any inspection process (bribery, favoritism, insults, personnel complaints such as sexual exploitation and abuse and sexual harassment, etc.), the application will be sent to the KOSGEB Guidance and Inspection Board by KOSGEB Human Resources Department. The response will be evaluated within the KOSGEB Guidance and Inspection Board, and then sent to complainant. Applications that do not require the inspection process will be directed to the relevant department concerned with the grievance. The response will be evaluated within the relevant department, and then sent to complainant. If the complaint issue is about working conditions, KOSGEB Administrative Support Services Department will be involved for redress.

The petition regarding the complaint will be kept in the KOSGEB Document Software. In accordance with the law on the use of the right of petition, "Petitioners who are Turkish citizens and foreigners residing in Türkiye are reasoned to respond within thirty days at the latest, as a result of their applications to the competent authorities regarding their wishes and complaints about the public, or the purity of the transaction being made." All procedures regarding the examination of complaints and their notification to the complainants by making a decision must be completed within 30 days at the latest following the date on which the complaint petition is submitted to the decision-making authority. The provisions of the relevant legislation are applied for the complaints that will be subject to judicial and administrative investigation.

Complaints about ethical issues such as sexual exploitation and abuse and sexual harassment (SEA/SH) received from project workers are evaluated by paying attention to the confidentiality of worker's information. Since complaints received on ethical issues include sensitive issues, they are definitely shared with the KOSGEB Guidance and Inspection Board for review by KOSGEB Human Resources Department. Grievances about SEA/SH can also be submitted directly to KOSGEB Guidance and Inspection Board by the complainant anonymously. The contact information for the KOSGEB Guidance and Inspection Board is given below.

*KOSGEB Guidance and Inspection Board*

*Address:* KOSGEB Headquarters, 06050 Ulus, Altındağ, Ankara

*Location:* 15<sup>th</sup> floor

*Phone:* 2671

**b) Sending direct e-mail to the KOSGEB PIU (to be announced)**

After the Project becomes effective, a project-specific e-mail address will be obtained. This e-mail of the KOSGEB PIU will be added on the KOSGEB website on the World Bank project special page. Project workers' complaints will be allowed to be sent to this e-mail. These grievances will be resolved within 2 working days (or within 15 working days only if there is an extra process to address the grievance due to compelling reasons).

Grievances may be submitted anonymously. Anonymous complaints will also be allowed to be sent with a direct e-mail. Grievances can be submitted in this way without providing the complainant's name or contact details on the grounds that it may cause difficulties in some cases. A grievance received anonymously should be handled without the name of the person filing the complaint.

The Project workers' grievance mechanism will not prevent workers to use judicial procedure. The process will not impede access to other judicial or administrative remedies or those included in applicable Collective Agreements. All Project workers will be informed about the grievance process upon commencement of employment. Monitoring and auditing of the Worker Grievance Process will be undertaken to determine the effectiveness of the process and also to identify recurrent worker issues. Monitoring and auditing will be implemented quarterly and/or whenever recurrence happens three times in a row.

## **9.2 World Bank Grievance Redress System**

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond.

For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

A complaint may be submitted in English or Turkish. The complaint must clearly state the adverse impact(s) allegedly caused or likely to be caused by the Bank-supported project. This should be supported by available documentation and correspondence to the extent possible. The complainant may also indicate the desired outcome of the complaint. Finally, the complaint should identify the complainant(s) or assigned representative/s and provide contact details. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

## **10 Occupational Health and Safety**

In recent years, Türkiye has undergone a reform to improve its national OHS system through adapting a set of international and regional standards into its national level requirements for the prevention occupational risks defined in the ILO Occupational Safety and Health Convention, 1981 (No. 155). During 2012, a stand-alone Law on OHS (No. 6331) was put into force (20 June 2012). The OHS Law governs workplace environments and industries (both public and private) as well as virtually all classes of employees including part-time workers,

interns, and apprentices. The legislation is comprehensive and is generally applicable across all sectors and many industries.

The Occupational Health and Safety Law No. 6331, stipulates provisions regarding occupational health and safety and is valid for direct and contracted workers, including foreign workers. It is also subject to the Labor Law No. 4857. The law imposes a general obligation on employers to provide workers with a safe and healthy working environment and to inform workers of potential risks to the health and safety of their jobs. Measures to be taken include, but are not limited to, education and information campaigns and related preventive measures. The law includes requirements for the regulation and management of health and safety programs, the provision of emergency response and services, and the response to accidents. Other requirements include controlling of access to hazardous workplaces, provision of workers with free personal protective equipment and medical examinations.

Pursuant to Article 4 of the Occupational Health and Safety Law, the employer is obliged to ensure the health and safety of workers in every work-related issue. The employer takes the necessary measures to protect the safety and health of the workers, including the prevention of occupational risks, providing of information and training, supplying the necessary organization and tools. He/she ensures that the measures are adjusted according to the changing conditions, and aims to improve the current situation. The principle of responsibility of the employer is not affected from the obligations of workers in the field of occupational health and safety.

In accordance with Article 11 of the Occupational Health and Safety Law, the employer will determine the situations that may affect the workers and the working environment by evaluating the foreseeable emergencies that may arise, while taking the working environment, materials used, equipment and environmental conditions into account. He/she then must take measures to prevent and limit their negative effects. The employer will measure and evaluate and prepare contingency plans to provide protection. Pursuant to Article 12 of the same law, the employer will take the necessary actions and give instructions in cases where employees need to quit their job and/or leave the workplace immediately and go to a safe place.

The law gives workers the right to refuse to undertake work that violates labor protection requirements. In addition, workers engaged in hazardous working conditions are entitled to free medical and preventative care, additional paid leave and other benefits and compensation. In case of disability or death, employers must provide compensation in multiples of average annual earnings as well as other amounts required by law.

While the national OHS regulations are to large extent aligned with ESS2 requirements there are certain gaps, which will be addresses through this LMP. The gaps include: 1) there are no specific requirements for employers to keep the OHS training records; (2) there are no provisions requiring a balanced representation of women in OHS committees to help design policies and practices responding to the needs of female workers; (3) the Law does not specifically prohibit retaliation when employees report and leave the work due to safety and health related issues; however, it states that employees may not be placed at a disadvantage because of their decision to leave the workplace and seek shelter in a safe space when exposed to serious imminent and unavoidable danger are entitled to refuse to work; and (4) there are no provisions for separate facilities for men and women.

The primary purpose of OHS measures is the health and safety of any and all project workers at work. The measures also establish and define the authority for the OHS and associated safety systems. These measures will be enforced on all activities of the KOSGEB PIU and project beneficiaries through contractual arrangements as is appropriate. OHS, commonly referred to as occupational safety and health, occupational health, or workplace health and safety, is concerned with the safety, health, and welfare of people at work. Safety is defined as “the well-being of project employees whilst at work or carrying out work duties”.

All KOSGEB facilities are equipped with fire safety instruments as required by national regulation. The staff receives routine training on occupational health and safety including fire safety and first aid. Regular OHS drills are conducted and reported. KOSGEB will inform the World Bank within 48 hours about any incident or accident

related to the Project which has, or is likely to have a significant adverse effect on the environment, the affected communities, the public or workers (labor, health and safety, or security incident, accident or circumstance). Such events can include strikes or other labor protests, serious worker injuries or fatalities, project-caused injuries to community members or property damage, reports of sexual harassment and sexual exploitation and abuse.

Adequate supervision of all workforce will be provided to ensure all COVID-19 control measures are implemented properly. The project will take necessary measures to address issues related to the COVID-19 by using a systematic approach that emphasizes on the collaboration of laborers and the management through active engagement. The best way to control COVID-19 is to systematically prevent it from entering the workplace in the first place. In sites/areas where it may not be possible to eliminate the COVID-19 outbreak due to the high density of workers in a small place, the most effective protection measure will be to use the —hierarchy of controls|| to select ways of controlling workplace hazards.

The obligations of the Project under the OHS includes the following:

- Compliance with all national and international OHS legislation that are applicable to Türkiye and the World Bank,
- Compliance with the Environmental and Social Standards of the World Bank,
- Compliance with World Bank Group Environmental Health and Safety (EHS) Guidelines,
- Prevention of injury and illness of all Project workers,
- Establishment of safety systems, processes and performance,
- Continuous improvement of safety systems,
- Management and mitigation of adverse environmental and social impacts, and
- Prevention of use of faulty equipment or sub-standard equipment.

The Project will commit to safety considerations in the conduct of all its activities and beneficiaries. The project will provide systems, processes, procedures, the necessary safety equipment and PPEs, and training for all project employees so that all activities are conducted in a safe environment. KOSGEB and contracted firms will be required to maintain OHS training records of project workers. Project workers will be responsible, subject to their roles, for the maintenance of a safe environment including the assessment of risks and actions to mitigate, minimize and manage risks to the safety of the work environment.

The Project will develop and implement systems, processes, policies, and services in compliance with national and international legal requirements including best practices in relation to safety. The Project workers at all levels have the authority to stop any activity they consider to be a danger to themselves or other workers, the public or the environment. There will be no retaliation against workers who report and leave the work due to safety and health related issues. They can report such instances to their immediate supervisor, any representative of the Employer or workers grievance mechanism. Workers will be able to report it on the immediate supervisor in this situation and just only rely on the project's GRM, which lays out procedures and timeframes for resolution. The LMP also requires incidents and accidents to be logged and reported by the PIU Project Manager to the World Bank in a quarterly period. In coordination with the Project Manager in PIU, each E&S expert attached to PIU (or particular KOSGEB PIU) is responsible for the implementation and monitoring of the safety management systems of the Project.

## **11 Monitoring and Auditing**

KOSGEB PIU will monitor its activities on a regular basis to assess whether the Project is complying with legal requirements, is meeting its policy commitments, achieving established objectives and targets, and meeting key performance indicators (KPIs). The KPIs to be considered when auditing this procedure are:

- Number of labor related noncompliance recorded
- Number of labor related noncompliance resolved
- Number of OHS incidents recorded
- Number of near misses recorded
- Number of labor related grievances
- Number of lessons learned
- Number of training sessions completed
- Type and number of disciplinary cases of the Project workers

To ensure proper performance, KOSGEB will monitor performance on an ongoing basis. This will include reviewing documentation and perform labor checks to verify actions in relation to:

- 100% of workers with written contract
- 100% of workers able to show compliance with working hours restrictions
- 100% workers paid on time
- Correct payment of overtime
- 100% compliance with national labor regulations
- 100% compliance with ESS2

KOSGEB PIU will retain all documentation relating to the Project, and will undertake the following documentation in relation to this procedure:

- Signed code of conduct (the Project workers)
- Worker inventory (name, country/location of origin, gender, contract type)
- All documentation as required by Labor Law
- Records of trainings provided to workers

Originals of all documents and records and signed documents are kept by KOSGEB PIU.

## References

The World Bank (2022, October 28). *Concept Note on a Proposed Loan in the Amount of 300 (US\$M) to the Republic of Türkiye for Türkiye Green Industry Project (P179255)*.

The World Bank (2017). *Environmental and Social Framework*. International Bank for Reconstruction and Development (pp. 31-36).

The World Bank (2018, June). *Guidance Note for Borrowers, ESS2: Labor and Working Conditions (First Edition)*. Environmental & Social Framework for IPF Operations.

KOSGEB Legislations (2022, November 9). <https://www.kosgeb.gov.tr/site/tr/genel/detay/5560/mevzuat>.

KOSGEB Organization Chart (2022, June 22). <https://www.kosgeb.gov.tr/site/tr/genel/detay/6320/teskilat-semasi>

KOSGEB Knowledge Acquisition. <https://www.kosgeb.gov.tr/site/tr/genel/IletisimMerkezi>.

International Labor Organization (n.d.). *Conventions Ratified by Türkiye*. ILO-Ankara. Retrieved from <https://www.ilo.org/ankara/conventions-ratified-by-turkey/lang--en/index.htm>




International Labor Organization (1998). *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up*. Adopted at the 86th Session of the International Labor Conference (1998) and amended at the 110th Session (2022).

United Nations Human Rights Office of the High Commissioner (2011). *Guiding Principles on Business and Human Rights*. Implementing the United Nations “Protect, Respect and Remedy” Framework.

## **Appendix**

1. Code of Conduct (CoC) for KOSGEB Staff (Turkish)

**Appendix 1: Code of Conduct (CoC) for KOSGEB Staff**

	<p>T.C. KÜÇÜK VE ORTA ÖLÇEKLİ İŞLETMELERİ GELİŞTİRME VE DESTEKLEME İDARESİ BAŞKANLIĞI <b>KAMU GÖREVLİLERİ ETİK SÖZLEŞMESİ</b></p>
<p>Kamu hizmetinin her türlü özel çıkarın üzerinde olduğu ve kamu görevlisinin halkın hizmetinde bulunduğu bilinç ve anlayışıyla;</p>	
<p>* Halkın günlük yaşamını kolaylaştırmak, ihtiyaçlarını en etkin, hızlı ve verimli biçimde karşılamak, hizmet kalitesini yükseltmek ve toplumun memnuniyetini artırmak için çalışmayı,</p>	
<p>* Görevimi insan haklarına saygı, saydamlık, katılımcılık, dürüstlük, hesap verebilirlik, kamu yararını gözetme ve hukukun üstünlüğü ilkeleri doğrultusunda yerine getirmeyi,</p>	
<p>* Dil, din, felsefi inanç, siyasi düşünce, ırk, yaş, bedensel engelli ve cinsiyet ayrımı yapmadan, fırsat eşitliğini engelleyici davranış ve uygulamalara meydan vermeden tarafsızlık içerisinde hizmet gereklerine uygun davranmayı,</p>	
<p>* Görevimi, görevle ilişkisi bulunan hiçbir gerçek veya tüzel kişiden hediye almadan, maddi ve manevi fayda veya bu nitelikte herhangi bir çıkar sağlamadan, herhangi bir özel menfaat beklentisi içinde olmadan yerine getirmeyi,</p>	
<p>* Kamu malları ve kaynaklarını kamusal amaçlar ve hizmet gerekleri dışında kullanmamayı ve kullandırmamayı, bu mal ve kaynakları israf etmemeyi,</p>	
<p>* Kişilerin dilekçe, bilgi edinme, şikayet ve dava açma haklarına saygılı davranmayı, hizmetten yararlananlara, çalışma arkadaşlarıma ve diğer muhataplarıma karşı ilgili, nazik, ölçülü ve saygılı hareket etmeyi,</p>	
<p>* Kamu görevlileri Etik Kurulunca hazırlanan yönetmeliklerle belirlenen etik davranış ilke ve değerlerine bağlı olarak görev yapmayı ve hizmet sunmayı taahhüt ederim.</p>	
T.C. Kimlik No	:
Adı Soyadı	:
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<p>FORM NO: 26530511-30(0); 10.01.2014</p>	
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