

National Legal and Policy Framework

1. What are the legal provisions and policy frameworks in your country that recognize the right to work and access to the labor market by older persons?

The Human Rights and Equality Institution of Turkey, affiliated to the Ministry of Justice, with public legal entity status and administrative and financial autonomy, was established by law No. 6701 in 2013 based on the international human rights law.

Reviewing of business market regulations point out that the employment protection legislation in Turkey—pension regulations and social protection measures such as restrictions on half-time work and social insurance contributions— is stricter compared to many countries. The cost of conforming to such regulations is one of the highest costs in all countries with comparable data. It may be expected of these regulations restricting the flexibility of the business market, making it difficult for companies to adapt to changing conditions and increasing the costs of engaging in a business. However, in practice, companies and employees may abstain from these regulations and get affected from them at a minimum level.

2. What are the challenges faced by older persons for the realization of their right to work and access to the labour market in your country?

The innovations in education and training are important identifiers of the adaptation of employees to the changes in their workplaces. Technological and institutional changes may render an employee's efforts useless and decrease the value of the work he/she does. Therefore, greater importance needs to be placed on informing elderly employees on the developments in their respective branches and on the provision of access to the new opportunities in the field of education and training.

3. What data, statistics and research are available regarding older persons engaged in informal work, particularly older women, including conditions of their work and economic value?

The economic growth and social change occurring in our country do not affect women, men and elderly people equally, and the influences of development in the household are not divided equally either. Women who are adversely influenced from gender discrimination provide the circulation of information inside their village by forming various social networks in rural areas and play significant roles in the keep up of daily life, even as they fail to be cognizant of and/or utilize the adequate means and tools that would enable them to live a better life, thus remain marginal in the modernization process. Indeed, women's participation in management and decision making processes is lower compared to men, they benefit from principal healthcare and educational services at a lower level, have difficulty to access income sources and fail to profit from technology. As such, the contributions of individuals in all age groups, and especially women, in all sectors including non-remunerated work are neglected. Awareness levels of individuals need to be improved through provision of solidarity between generations in social, economic, cultural, etc. spheres so as to eliminate all kinds of discrimination and exclusion against disadvantaged groups and elderly people.

Availability, Accessibility, Acceptability and Quality

4. What steps have been taken to ensure the access of older persons to the labour market including through physical accessibility, access to information about employment opportunities, training and the provision of appropriate workplace accommodations?

The following decision has been taken by the General Assembly of Republic of Turkey Turkish Employment Agency for the labor market: Practices that support active aging and aim to diversify and

expand employment services for the elderly population should be implemented. 1st Council on Ageing which was held on 20-22 February 2019 in Ankara, under the auspices of the Presidency of the Republic of Turkey for the first time. The commissions within the scope of the 1st Council on Ageing continued their studies and suggested the following statement: “the implementation of programs for the protection and acquisition of the skills demanded by the labor market, the development of special services and practices to ensure active participation of the elderly to take into consideration the population in the context of the silver economy”.

5. What steps have been taken to ensure the availability of specialised services to assist and support older persons to identify and find employment?

There are vocational courses of municipalities in our country and elderly individuals also participate in these courses. These courses, which support production and employment, provide training in areas such as English, computer, needle lace and handicrafts.

6. What good practices are available in terms of ensuring the older persons' enjoyment of their right to work and their access to the labour market?

The proportion of senior citizens or those at the age of 65 and above increased 16 percent in the last five years and was more than 7.1 million last year. Now, they represent 8.8 percent of the total population and more than half of the elderly are women, TurkStat figures revealed.

The 2018 statistics also brought good news. The number of educated elderly people increased in the last five years, according to the figures. The rate of illiterate senior citizens dropped to 19.6 percent from 23.9 percent in 2013. The percentage of elderly citizens with a university degree rose to 6.2 percent in 2017, the latest year with available data, from 4.7 percent.

7. What protections are available to ensure older persons enjoy just and favourable conditions of work, including fair wages and equal remuneration for work of equal value, safe working conditions, both in the formal and informal sector?

Equality and non-discrimination

8. In your country, is age one of the prohibited grounds for discrimination in relation to work and access to the labour market, including in older age?

The Human Rights and Equality Institution of Turkey, affiliated to the Ministry of Justice, with public legal entity status and administrative and financial autonomy, was established by law No. 6701 in 2013 based on the international human rights law. Within the scope of this Law, discrimination based on gender, race, color, language, religion, belief, sect, philosophical and political opinion, ethnicity, wealth, birth, marital status, health status, disability and age are prohibited.

Remedies and Redress

9. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their right to work and access to the labour market?

- Increasing participation of the population capable of working in business life and decreasing the risk of becoming dependent in the declining ages, increasing participation of particularly women in the labor force and decreasing unemployment, provision and sustaining of healthcare services to employees prioritizing preservation and improvement of health at work, establishing safe environments to maintain business skills, taking the required measures involving the provision of access to lifelong learning, continuous education and training, on-

the-job training, vocational rehabilitation and flexible retirement, and also, developing policies to ensure participation of unemployed individuals and disabled people in the business life;

- Spending particular efforts to increase participation of disadvantaged groups such as women, long-time unemployed individuals and disabled people in business life, with the purpose of decreasing the risk of exclusion from business life and becoming dependent in the declining years;
- In particular, preventing all kinds of discrimination, first and foremost gender discrimination, and supporting elderly people in their efforts to establish their own businesses and small enterprises.