

TRADE UNIONS IN TURKEY 2022

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Turkey's inflation soars to 61 percent as of March 2022. As a reaction, in the first two months of 2022, the country witnessed an unauthorized strike wave. Thousands of mostly non-union workers staged a total of 108 strikes.



Union laws in Turkey are far from aligned with ILO conventions. The right to strike was further restricted recently. Since 2016, according to the ITUC, Turkey has been among the ten worst countries for workers.



Union density rose from 8% in 2013 to 13% in 2021. This was mainly because of the unionization of workers employed by subcontractors working for public institutions. In the private sector, the density stagnates around 6%.

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I.

INTRODUCTION

This report updates the *Trade Unions in Turkey, 2018 report published by the Friedrich Ebert Stiftung*.¹ In an earlier report in 2012, Dinler provided a summary of the historical background and the basic characteristics of Turkish trade unionism.² The 2018 report focused on the changes between 2012 and 2018 and tapped into the statistical data, especially workers' union membership data that the Ministry of Labor and Social Security (MoLSS) began to provide in 2013. This report provides a brief overview of the historical background and explores developments since 2018.

In 2012, the governing Justice and Development Party (AKP) ratified new trade union law, Law No. 6356 on Trade Unions and Collective Labor Agreements. However, the change brought little in the way of progress for unions. One of the few advances delivered by the 2012 law was that it streamlined the process of joining a union for the individual workers and introduced a new and reliable membership database. Meanwhile, Turkey has been experiencing rising authoritarianism since the beginning of the 2010s.³ As a result, protesting and public demonstrations have become riskier for everyone, including workers. Since 2015, the government has prohibited 227 lawful strikes covering some 170,000 workers. According to the International Trade Union Confederation (ITUC), Turkey has been among the ten worst countries for unions since 2016.⁴

Turkey is witnessing an ongoing currency and debt crisis. One result has been high inflation, which as of March 2022 is running at 61 percent according to the government; estimates from independent researchers put the inflation rate as high as 143 percent.⁵ The Turkish economy contracted in the last two quarters of 2018, grew just 0.9% in 2019 and dropped sharply in the second quarter of 2020 because of the pandemic.⁶ Even according to (admittedly unreliable) data from the Turkish Statistical Institute (TÜİK), unemployment rose to nearly 14% in 2019, stayed above 13% in 2020 and fell back slightly to 12% in 2021.⁷ The total number of employees in Turkey decreased not only in 2020 but also in 2019 before the pandemic.⁸ Overall, it is clear that the Turkish economy has created many fewer jobs in the last four years than in the years before that. Between 2014 and 2018, the number of formal workers rose by 19%, while between 2018 and 2022, this number rose by only 10%, according to MoLSS data.⁹ All told, GDP growth of 11% in 2021¹⁰ brought

scant relief to Turkey's workers, who have seen runaway inflation eat away at their living standards and the constant threat of unemployment hanging over them.

Despite the twin odds of authoritarianism and economic crisis stacked against the trade union movement, union density and bargaining coverage have been on the rise since 2014. This is mainly due to the unionization of workers employed by subcontractors working for public institutions. As a part of the AKP's privatization campaign, the number of public sector subcontracted workers has skyrocketed since the 2000s to reach nearly 1 million. The mobilization of these workers since the mid-2000s, backed by campaigning by several unions, pushed the AKP government to amend the labor law in 2014 to make it easier for these workers to unionize. In the face of workers' ongoing mobilization and simultaneous presidential and parliamentary elections in the summer, the government transitioned most public sector subcontractees (nearly 750,000 workers) into regular public employment status in April 2018. Because of the amendment in 2014 and the transition in 2018, most of these subcontracted workers have become union members, which explains almost all of the increase in union density since 2014. On the private sector front, however, the picture is very bleak. Bargaining coverage in the private sector dropped to 3.5% in 2010, an all-time low, and has ticked up only marginally today to around 5%.

There is a clear legal distinction between workers and civil servants in Turkey. All employees except civil servants are defined as "workers" by Turkish Labor Law No. 4857, adopted in 2003. However, civil servants are covered by a different regulation (Civil Servants' Law No. 657). Similarly, "workers" and civil servants are governed by different union laws (Law No. 6356 on Trade Unions and Collective Labor Agreements and Law No. 4688 on Public Servants' Trade Unions, respectively). The main difference is that the labor law grants civil servants greater job security than workers. Then again, civil servants are not allowed to strike.

Moreover, "public workers"—mostly manual workers¹¹ employed by state economic enterprises and various public institutions such as ministries, municipalities and banks—are not classed as civil servants. Like private sector workers, public workers operate under Labor Law No. 4857 and unionize

Table 1.

Different groups of employees in Turkey 2022

Level 1	Level 2	Level 3	Definition	Approx. numbers	Union density
Civil servants	Civil servants	Civil servants	Mostly white-collar public sector employees who work and organize according to different laws than workers	3.5 million	Very high
Workers	Public workers	Public workers*	Mostly manual workers employed in public institutions	1.5 million	Very high
	Private sector workers	Formal private sector workers	Formal private sector workers	13.5 million	Around 7%
		Informal workers I	Unregistered workers (Turkish citizens)	2.5 million	Zero**
		Informal workers II	Unregistered workers (non-citizens)***	1 million	Zero**
TOTAL				22 million	

* This includes approximately 300,000 workers employed by subcontractors working for public institutions.

** According to Turkish union law, informal workers cannot join a union.

*** Turkey hosts some 4 million migrants, 3.6 million of whom are from Syria. The International Labour Organization (ILO) estimates that nearly 700,000 Syrians are employed as informal workers in Turkey.⁹⁰







according to Law No. 6356. There were nearly 500,000 public workers in Turkey at the beginning of 2018.¹² This number reached nearly 1.2 million in 2019 because of the transition of public sector subcontracted workers into regular public workers.

As of 2022, there are approximately 3.5 million civil servants, 1.2 million public workers and around 17.5 million private sector workers (including roughly 2.5 million Turkish informal workers¹³ and 1 million migrant informal workers) in Turkey. This report focuses on unionism among workers (public and private sector), while the last section briefly overviews civil servant unionism. Table 1 above outlines different groups of employees in Turkey, all of which have significant differences in terms of their access to the right to organize and collective bargaining.

Türk-İş (The Confederation of Turkish Workers' Unions, established in 1952), Hak-İş (The Confederation of Real Workers' Unions, 1976) and DİSK (The Confederation of Progressive Workers' Unions, 1967) are the principal trade union confederations representing workers in the private and public sectors. The largest civil servant union confederations — Memur-Sen (1995), Türkiye Kamu-Sen (1992) and KESK (1995) — cover most civil servants. Table 2 illustrates the membership of the six strongest confederations functioning under the two different legal frameworks.

Table 2.

Membership in the leading trade union confederations in Turkey

Confederations representing workers (January 2022)		
		
Türk-İş	Hak-İş	DİSK
1,213,439	727,187	212,593
Confederations representing civil servants (July 2021)		
		
Memur-Sen	Türkiye Kamu-Sen	KESK
1,004,152	430,183	132,225

Source: The Ministry of Labor and Social Security⁹²

II.

WORKER UNIONISM

1. THE LEGAL FRAMEWORK AND ITS IMPACT

Military rule between 1980 and 1983 saw two very restrictive union and collective agreements laws enacted. These laws are one of the main reasons union density has fallen in Turkey since the end of the 1980s, as they made it much harder to unionize in new workplaces. Trade unions, the European Union and the ILO have pointed to the need for a new union law since the 1990s. The enactment of the new union law in 2012 was due to pressure from these institutions. Nevertheless, under the influence of the business lobby, the government retained the principal restrictions from the existing union laws in the new legislation.

Law No. 6356 on Trade Unions and Collective Labor Agreements is not based on consensus between all social partners. One of the three primary workers' union confederations, DİSK, and several member unions of the Türk-İş confederation opposed various articles of the 2012 law.¹⁴ Even though Law No. 6356 introduced limited improvements regarding the establishment and internal functioning of unions and the process of joining a union, it maintains many restrictions of previous laws, especially related to collective bargaining and industrial action.

The establishment and internal functioning of unions and union membership

The 2012 law made it easier to establish new unions and simplified the internal functioning of existing ones. The obligation to notarize the relevant documentation to join and leave a union was eliminated. This obligation was one of the most pronounced union complaints about the older system because it entailed a significant financial burden and unwieldy bureaucracy. Law No. 6356 replaced notarization with a digital registration system in which a worker can apply to join a union via the online portal of the Turkish state. Once a worker applies for union membership online, the MoLSS and the union are notified and the application awaits the approval of the union. As streamlined as this procedure is, unions also point to its flaws, claiming that some employers have requested that workers turn over their portal passwords to check if they are union members, notably during the hiring process.

The 2012 law also retains the existing framework of legally defined industrial classification and the requirement that unions be established at the industrial level only. Law No. 6356 establishes 20 industry sectors by law and a given union may only organize in one of those defined sectors. Every workplace officially operate under a specific industry and all workers of a workplace officially work under the industry assigned to that workplace. Therefore, it is impossible to establish a union based on professions or at the workplace level. Any union working solely at the workplace level will not be authorized to negotiate or sign a collective agreement, because it will not be able to exceed the industrial threshold explained below.

The 2012 law limits the right to sue for compensation in case of dismissal due to trade union membership or activity. If a worker is dismissed due to union membership or activity and can prove this in court, she is eligible for "union compensation," which cannot be less than the worker's annual wage. This is a particular form of compensation different from and in addition to the entitlement to a severance payment. With Law No. 6356, workers in workplaces employing fewer than 30 workers have lost the right to this form of compensation. The *Joint Report of the EU–Turkey Joint Consultative Committee* points to this change as one of the three areas of particular concern about the 2012 law because an estimated 95% of companies are small-scale enterprises and 50% of the registered workers work for those companies.¹⁵ This limitation functions as an increased restriction on collective bargaining.

Authorization of collective bargaining

The 2012 union law retained, with only minor changes, two thresholds from the repealed union law concerning the authorization of collective bargaining. The first threshold concerns workplace membership. While the law maintains the workplace membership threshold at 50%, the threshold for firms with more than one workplace has been reduced to 40%.

The second threshold is industry-wide. Before the 2012 law, a union had to represent at least 10% of the total number of registered workers in the relevant industry to be authorized for collective bargaining. The new law reduced this threshold to 1% for unions that are members of one of the three main confederations named above. However, the threshold for other unions (i.e., those that do not belong to one of the

three big confederations) was 3%. After the main opposition party petitioned the Constitutional Court in 2015, the court lowered the threshold to 1% for all unions. However, this reduction from 10% to 1% is not as striking as it sounds because the new law also changed the statistical system of the membership count. Before the new union law was enacted in 2012, the most updated official rate of union density was 60% (announced in 2009). However, this rate was based on unreliable and exaggerated membership records. The rate published under the new system in 2013 was just 9%. Furthermore, the number of legally defined industries was reduced from 28 to 20, causing an automatic increase in the worker number thresholds in some industries. The industry threshold precludes new, independent unions from obtaining authorization.

Obstacles to securing authorization for collective bargaining are not limited to these legal thresholds. The mechanism itself is very problematic, and the new law kept this mechanism intact. Even if a union meets the two thresholds and applies to the MoLSS for authorization, and the ministry authorizes the union after checking the membership numbers, employers retain the right to challenge the authorization by filing a lawsuit. Typical claims lodged in such lawsuits include that the firm employs more workers than the MoLSS records show or that it has another workplace. Such claims challenge the stated workplace threshold, implying that the union had not met the representation requirement. Another common legal tactic of employers is to claim the workplace falls under a different industry category than the union. These lawsuits are aimed less at winning than buying time, as employers can leverage the excessive length of legal proceedings in Turkey to wear down union workers.

Unions do not have the authority to start collective bargaining until the court declares so, which takes nearly two years. In this way, employers buy a significant amount of time for union-busting activities. Employers usually fire those leading the unionization drive, and unions mostly respond by building picket lines in front of the workplace. Meanwhile, management often resorts to intimidating, suppressing or bribing other union workers. In many cases, after nearly two years of proceedings and union-busting campaigns, many workers become exhausted and resign from the union. During the two-year process, union workers cannot legally strike because, according to the union law, workers can strike only if their union has collective bargaining authority in their workplace and, when a bargaining process fails to reach an agreement. In numerous cases, most of the frustrated and demoralized members have already resigned from the union by the time the court authorizes the union.

In the most comprehensive quantitative research on the authorization problem, Özveri investigated cases of unionization resulting in authorization lawsuits across four industries between 1983 and 2009.¹⁶ Özveri found that in 73% of the cases in which the court eventually confirmed the union's authorization, the employer had busted the union on the shop floor while the lawsuits were in progress. The average duration of lawsuits in the cases studied was 424 days—

plenty of time for such anti-union activities. In other words, 73% of applications from unions that had organized most workers in the workplace, as confirmed by the court, never ended up signing a collective bargaining agreement after all because, by the time the authorization was decreed, the firm had managed to crush the union. A recent statement from Birleşik Metal-İş and Petrol-İş revealed that the average duration of lawsuits over authorization has extended further to reach some 700 days in the 2010s.¹⁷

In a qualitative approach, Birelma undertook an in-depth ethnography of three cases of unionization in the private sector, exposing the raft of difficulties in the unionization and authorization process.¹⁸ The research revealed the years of secret organizing, the sacking of nearly 80 workers due to union activities, and the picket lines and workers' protests that union organizing entailed. In one of the three cases, the union was busted despite (eventually) winning the lawsuit, which took three and a half years.

The leaders of all three biggest worker union confederations emphasize that neither the law nor government procedures and policies protect unionizing workers in the private sector from employer repression.¹⁹ They raised in the first instance the aforementioned ability of employers to challenge the MoLSS's authorization of a union. Union leaders reiterate that this right to challenge authorization is exploited by employers to handicap or retard the process and is thus a major obstacle to unionization. Second, the union leaders point to the complete lack of job security for union workers because the law does not compel employers to reinstate workers fired due to union involvement, even after a court decision has recognized that the reason of dismissal was union involvement.

Building on the data from newspaper reports of labor unrest, Emek Çalışmaları Topluluğu (the Labor Studies Collective) found that in 2015, at least 2,258 workers in 81 workplaces had been fired, reportedly because they participated in union organizing.²⁰ This number does not include cases where the unionizing workers did not organize any protest. The following year, that number was 1,359 workers across 42 workplaces. The decline in labor unrest in 2016 reflects the political turmoil caused by the coup attempt in July.²¹ The number of workers sacked due to union organizing was 857 in 2017,²² 1,630 in 2018,²³ 749 in 2019,²⁴ and 817 in 2020.²⁵ These numbers are only a portion of the total number of workers dismissed for union activity. Unions do not always organize protests when union workers are fired.

Restrictions on the right to strike

Just like the law it replaced, the 2012 law bans all strikes other than those organized in case of disagreement during collective bargaining. In other words, slowdowns, solidarity strikes, general strikes, and strikes to enforce a collective agreement continue to be illegal. Moreover, the new law maintains the government's power to ban any kind of strike on the grounds of national security or public health.²⁶ Strikes could be banned if they threatened "national security or public health," and these terms could be (and often were) inter-

preted broadly. Therefore, one of the three main areas of concern of the *Joint Report of the EU–Turkey Joint Consultative Committee* about the 2012 law was the “continued limitations on the right to strike.”²⁷

The 2012 law also keeps the general ban on strikes in several industries such as public hospitals, urban public transportation, banking and production and distribution of water, electricity and petrol. However, with pressure from the main opposition party, the Constitutional Court lifted the ban in urban public transportation and banking in 2014. In November 2016, the government moved to bypass that ruling by exploiting the state of emergency. Using an executive order, the government ratified an amendment to Law No. 6356 that extended the conditions under which the government could prohibit strikes. This allowed the government to outlaw industrial action in sectors like banking and urban transportation if they posed “a threat to economic and financial stability.” The AKP actually used this amendment to ban a strike in 2017 by workers of Akbank, one of the biggest banks in Turkey. Upon the appeal of the main opposition party, the Constitutional Court once again lifted this amendment in 2020.

2. AN OVERVIEW OF WORKERS’ UNIONISM IN TURKEY

Workers’ unions in Turkey have not always been weak. They grew in the 1960s and 1970s and survived an anti-labor military regime in power between 1980 and 1983. They organized the most substantial strike waves in the nation’s history in the first half of the 1990s, resulting in significant rises in real wages.²⁸ However, since the mid-1990s, Turkish unions have been losing clout.

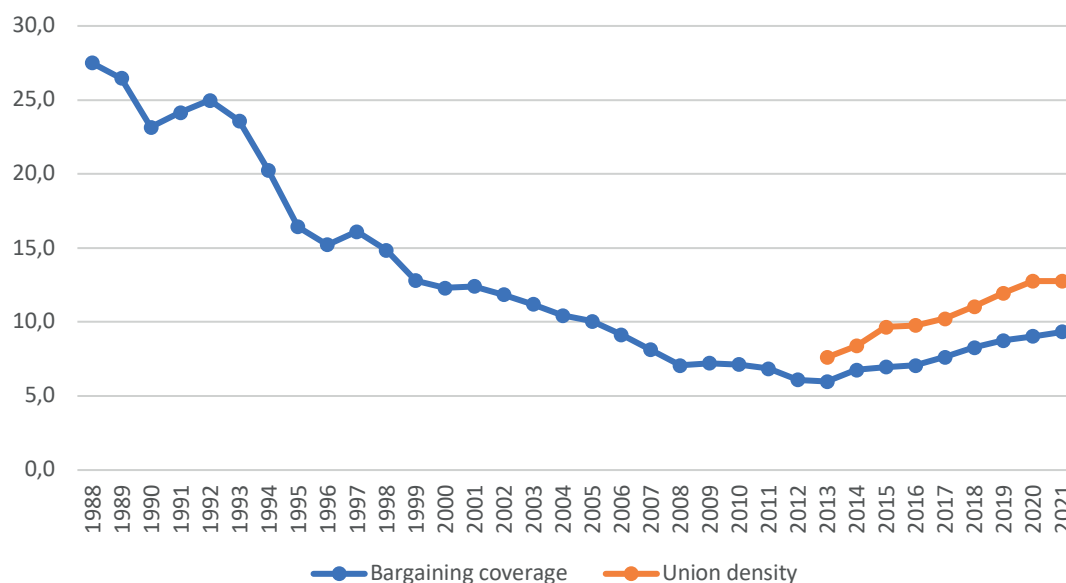
Collective bargaining coverage and union density

The union membership data provided by the MoLSS before 2013 was exaggerated and unreliable. Nonetheless, the ministry has provided credible data on the number of workers who have worked under a collective bargaining agreement since the introduction of that right in 1963. The industrial relations system of Turkey is reminiscent of the United Kingdom and the United States in the sense that there are no supportive mechanisms for collective bargaining, such as the extension procedures that exist in coordinated market economies like Germany.²⁹

Turkish unions must organize workplace by workplace to enlarge collective bargaining coverage. Therefore, collective bargaining coverage is a good proxy for union density. It is safe to assume that the union density is a couple of points higher than the bargaining coverage.

Figure 1 above displays the trajectory of workers’ collective bargaining coverage in Turkey since 1988 and union density since 2013. The former is calculated by dividing the number of workers covered by a collective bargaining agreement by the total number of workers in the labor force. The total number of workers stands for all employees (including informal workers) except civil servants. A collective bargaining agreement protected one out of every four workers at the end of the 1980s when a decline in coverage began. The lowest ratio was 6% in 2013, while the coverage rose to 9% in 2021. As a result, after 1980, Turkey experienced one of the sharpest de-unionization trends among the OECD countries.³⁰ As defined in a recent ILO Brief on collective bargaining coverage in 75 countries, Turkey was found to have “very low” coverage

Figure 1.
Collective bargaining coverage and union density, 1988–2021 (% of the workers)



Source: The Ministry of Labor and Social Security (MoLSS) provides data on the number of workers for whom a union signs a collective contract in a given year. The annual number of workers working under a collective contract is calculated as suggested by Çelik and Lordoğlu (2006: 19). Since 2013, the MoLSS has also provided reliable statistics on the number of union workers. In addition, the Turkish Statistical Institute (TURKSTAT) provides the numbers of all employees, including informal employees. However, it should be noted that TURKSTAT data underestimates the number of informal workers in the labor force due to undercounting of migrant workers, whose numbers have grown significantly since 2010.

in which “employers may resist collective bargaining and unions may find it difficult to gain the majorities needed to be recognized for the purposes of collective bargaining.”³¹

An interesting note on worker unions in Turkey concerns union dues. The 1983 union law allowed unions to set union dues, although at a rate not higher than the daily wage rate for the worker. Most unions opted for the maximum, about 3.3% of the monthly wage. Thus in Turkey, union dues are significantly higher than those in countries like the United States, Canada or Germany, where dues are around 1-2% of monthly wages.

Unionization of subcontracted workers in the public sector

As Figure 1 reveals, there has been an uptick in collective bargaining coverage since 2014. This is due to the unionization of workers employed by subcontractors working for public institutions. The number of these public sector subcontracted workers was approximately 1 million. Due to the mobilization of these workers and some unions since the mid-2000s, the AKP enacted an amendment to the Turkish labor law in 2014 that facilitated the unionization of public sector subcontracted workers. Most of these workers were employed through AKP channels and therefore hailed from the social base of the governing party. The 2015 elections offered the movement an opportunity to mobilize at a time when AKP support — which had been significant since 2002 — seemed to be eroding. This became evident when the party lost its majority in the parliament in June 2015. The amendment required successfully unionized public sector subcontracted workers to bargain and sign a collective agreement with the principal employer (i.e., the relevant public institution) rather than the subcontracting firm. More crucially, the additional costs resulting from the collective agreement were to be paid by the public institution instead of the subcontracting firm. This change encouraged subcontractors to be less resistant to unionization because it entailed no financial burden for them.³²

In the face of ongoing demands of unions and subcontracted workers leading up to the 2018 elections, the AKP transitioned most public sector subcontracted workers (around 750,000) into regular public workers in April, just before voters went to the polls in June. Because it is even easier for public workers to unionize, the increases in union density and collective bargaining coverage seen since 2013 continued through to 2021. However, as Figure 1 shows, union density appears to have plateaued in 2021. The decline in the labor force in the preceding years (in 2019 because of the economic slowdown, and in 2020 due to the pandemic) bottomed out, and 2021 witnessed an increase of nearly 1.5 million workers, while the increase in the number of union members was less than 200,000. Hence, in terms of union density, the contribution of the public sector subcontracted workers’ unionization wave appears to have peaked. However, there is still some room for growth in collective bargaining since a portion of these newly unionized workers is still not covered by an agreement due to government stalling and bureaucrat-

ic problems related to the transition process. This explains the growth in the delta between union density and bargaining coverage seen in Figure 1.

When the 750,000-odd public sector subcontracted workers were transitioned into regular public workers in April 2018, the government postponed their new collective agreements for nearly two and a half years. Then, in November 2020, the transitioned workers (employed by public institutions other than municipalities) were transferred to the industries of their main public employers. For example, workers cleaning public hospitals for a subcontractor operating in the general services industry were transferred to public employment in 2018 but kept working in the general services industry, according to the MoLSS database. However, in 2020, these workers were transitioned into the health sector, in which their main employer operates. These transfers caused significant changes in membership numbers for some unions. For example, *Öz Sağlık-İş*, a *Hak-İş* member union for health workers, had 185,370 in January 2021, up from just 53,749 members in July 2020. The numbers for *Türk-İş* member union *Koop-İş* rose from 71,594 members in July 2020 to 104,308 in January 2021.

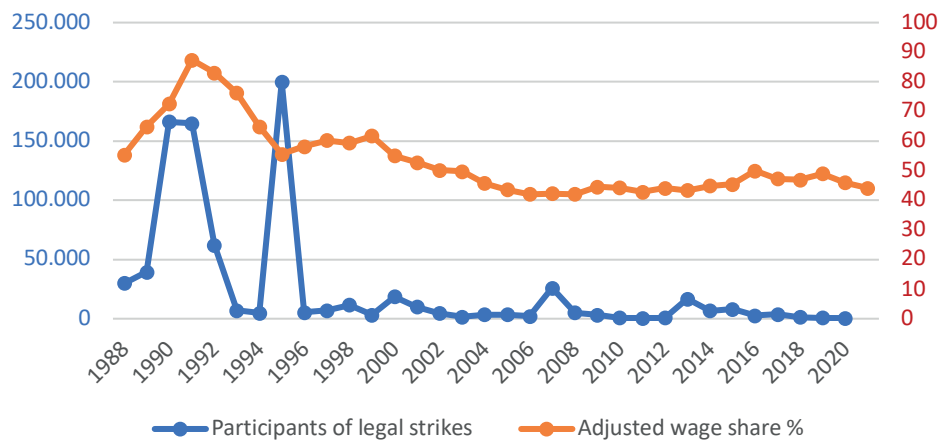
Strikes

The number of striking workers is another crucial indicator for estimating the power of workers’ unions. The MoLSS provides data on the number of workers participating in lawful strikes. Law No. 6356 permits strike action only under strict conditions — namely, when a collective bargaining process fails to reach an agreement. Therefore, the MoLSS strike data does not include wildcat strikes or unauthorized strikes of non-union workers. However, it still provides an important indicator of union power and activity. Figure 2 below plots historical data for the number of participants in lawful strikes organized by unions and the share of wages in national income between 1988 and 2020. Wage share is arguably the best indicator of the average value of wages from a distributional perspective.³³

As Figure 2 illustrates, strike waves in 1990 and 1991 saw significant increases in the wage share of national income in Turkey. The economic crisis of 1994 led employers to reduce wages, resulting in another strike wave in 1995, in which nearly 200,000 workers participated. However, this time their strikes were largely unsuccessful. Thus, 1995 marks the last period of mass clamor by the labor movement in Turkey. In the following decades, lawful strikes were rare, and the wage share of national income steadily declined to 2006, hovering at between 40 and 50% of national income since then.

Declining strikes in Turkey are not just a function of union hesitation due to shrinking clout. Legally, governments have the right to prohibit an otherwise lawful strike if it threatens public health or national security. After the coup attempt in July 2016, the AKP declared a state of emergency that continued until July 2018. While there were eight strike ban cases involving nearly 40,000 strikers in the fourteen years between 2003 and 2016, 2017 and 2018 witnessed seven strike ban cases involving more than 150,000 workers poised to

Figure 2.
Worker participation in legal strikes and the wage share, 1988–2020



Source: Data on the number of participants in legal strikes is provided by the MoLSS. Adjusted wage share is calculated by AMECO, the annual macro-economic database of the European Commission's Directorate-General for Economic and Financial Affairs.

strike. Due to this rising number of strike bans, arrests of union leaders, and other problems, the ITUC has declared that Turkey has been among the ten worst countries for workers since 2016.³⁴ Over 19 years of AKP rule, fewer than one-third of lawful strikers have been allowed to go ahead, with the remainder — covering some 194,000 workers — have been prohibited for one reason or another.³⁵

The Labor Studies Collective has been exploring working-class protests in Turkey since 2015 using protest event analysis. Their data shows that although the government has managed to ban most lawful industrial action, workers in Turkey have been able to launch a considerable number of unlawful strikes each year. For example, the Labor Studies Collective identified some 151 unofficial strikes in 2015,³⁶ 80 in 2016,³⁷ 99 in 2017,³⁸ 122 in 2018,³⁹ 89 in 2019,⁴⁰ and 93 in 2020.⁴¹

Wildcat strikes on an unprecedented scale by metal workers in May 2015 and by shoe-maker artisans and workers in September 2017⁴² were probably symptoms of a more general subjectivity among workers that unions can tap into and mobilize. The former case was notable for the scope and militancy of industrial action in a sector at the very heart of the Turkish economy. In the latter case, the cooperation of Turkish, Kurdish and Syrian workers in subcontracting micro-enterprises against big brands was extraordinary and inspiring.

In the first two months of 2022, Turkey witnessed another unexpected and attention-grabbing strike wave. The strike by couriers at Trendyol, an e-commerce platform bought by China's Alibaba in 2018, has attracted the most public attention. Around 1,000 couriers, hired on a freelance basis by the firm, switched off their vehicles for three days and won a pay raise. They were far from alone. At the Labor Studies Collective, we have identified a total of 108 strikes in January and February 2022, all of which were unlawful, except the one at the British Broadcasting Corporation's (BBC) Istanbul office.⁴³ In other words, in the first two months of 2022, workers in Turkey organized more unlawful strikes than they did in 2020 or 2019. This strike wave was only comparable to the wildcat

strikes organized by thousands of metalworkers in May 2015. Why did these strikes occur?

Facing an election in 2023 and with double-digit inflation severely undermining living standards, in January 2022, the AKP government was forced to increase the minimum wage by nearly 50 percent. Indeed, in 96 of 108 recent strikes, the workers' primary demand was higher pay raise than offered by their employers. Seven strikes among couriers were accompanied by 32 strikes in Gaziantep, an industrial city in the southeast of Turkey, 21 strikes by ship-breaking workers in İzmir, 17 strikes by sock workers in Istanbul, and 24 additional strikes across various cities and industries. These strikes, with four exceptions, were all in the private sector. At least 17,000 workers participated in the 104 private sector strikes, and in at least 54 of all cases, workers won some of their demands.

Moreover, while 54 of these strikes were organized without the help of any union, 26 were organized by small, independent, left-wing unions. Türk-İş unions organized 18 of them, while DİSK unions organized 12.⁴⁴ The impact of the independent, left-wing unions on this strike wave was remarkable and interesting.

A gender lens on worker unionism

Many scholars state that worker unions in Turkey pay little heed to gender, and their activities toward women are usually either pretentious or transient.⁴⁵ Women are mostly excluded from managerial positions in unions, and blaming the victim is very common among male decision-makers.⁴⁶ The MoLSS has provided data on the sex distribution of officials in charge within statutory management bodies in worker unions. According to the latest data provided in 2015, only 4% of the union leaders and only 8% of the various managerial bodies' members were women. For the confederation level, the latter ratio shrinks to 2%.⁴⁷ In the same year, women made up 16% of union members in Turkey.⁴⁸

Hak-İş appears to be the most assertive worker union confederation regarding women’s participation. It is telling that the share of women in the governing boards of Hak-İş unions was around 6% in 2021.⁴⁹ As a result, union density among women is much lower than among men. According to the MoLSS, there were 1.5 million male union members and 400,000 female union members in July 2020. Union density among formal workers was 15% for men and 10% for women.⁵⁰ On the other hand, it is promising that the ratio of women among union members has risen from 16% to 21% between 2015 and 2020.

The difference in densities between sexes is less dramatic among civil servants. For the latter, the union density was 59% among men and 41% among women in 2020.⁵¹

Tripartite social dialogue

Since the mid-1990s, numerous new mechanisms of tripartite social dialogue have been introduced in Turkey as part of the European Union accession process.⁵² Despite the proliferation of new tripartite bodies, “uneven government representation” and “subsequent state control,” among other factors, inhibit “the development of a bottom-up practice that would empower partners equally and shape policy outcomes.”⁵³ The quality of tripartite social dialogue has worsened recently, as noted by various unions, especially after the July 2016 state of emergency declaration. The MoLSS convened the Tripartite Consultation Board only once in 2017 and once in 2018. The government did not convene the board even to consult about the most dramatic development of recent years, such as the transformation of nearly 750,000 public sector subcontracted workers into regular public workers in 2018. In a qualitative research, the leaders of the three largest worker union confederations and the two biggest civil servant union confederations emphasized the erosion of social dialogue mechanisms since 2016. The leaders of confederations close to the AKP have noted the informal social dialogue they have been able to develop with govern-

ment officials. However, even they express that this informality is not ideal, and the government should convene the Tripartite Consultation Board.⁵⁴

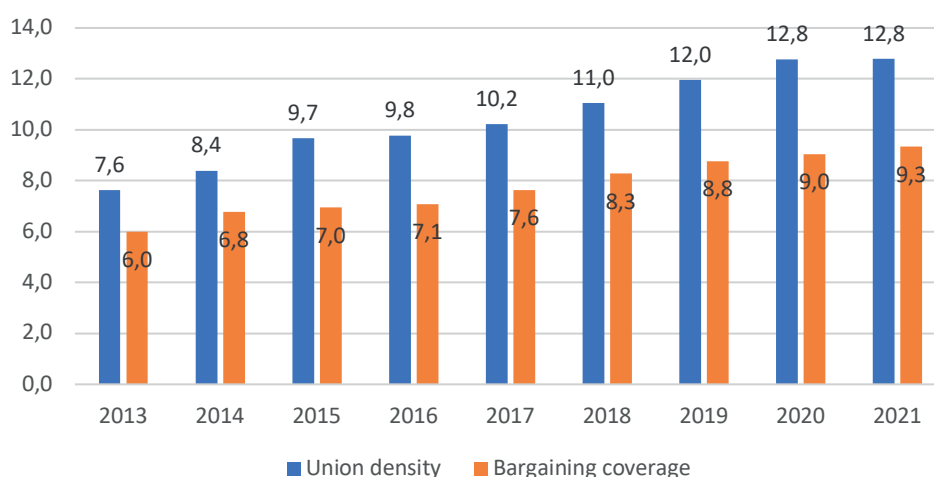
In 2020, during the pandemic, the AKP government introduced new legislation into the parliament that would undermine the right to severance pay for workers below 25 and above 50 years of age. This was another extreme case in which the government totally disregarded social dialogue mechanisms and moved unilaterally to satisfy employers’ demands. DİSK and Türk-İş organized many protests against the law in October and November 2020. Although it did not stage street protests, Hak-İş joined Türk-İş in a press conference to condemn the law. Thanks to union resistance, the government had to withdraw the amendment.⁵⁵

3. TRENDS IN UNION MEMBERSHIP AND LANDSCAPE

In January 2013, the ministry began publishing new union membership data biannually based on the online system generally acknowledged as reliable. The number of union workers rose from 1 million to nearly 2.2 million in the nine years between January 2013 and January 2022. The share of union workers among registered workers rose from 9.2 to 14.3% in that period. The more realistic union density, which is the share of union workers among all workers including informally employed Turkish citizens, rose from 7.8 in 2013 to 12.8% in 2021.

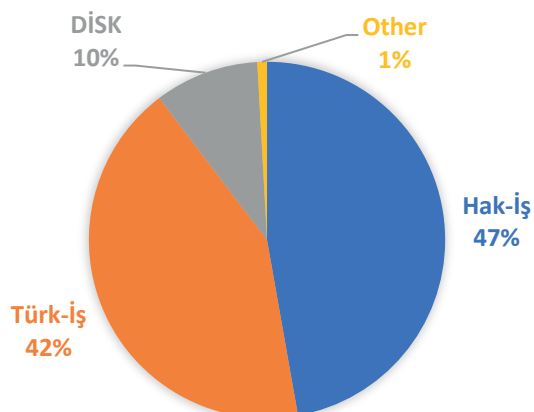
Figure 3 below offers a closer look at the data presented in Figure 1 with a focus on recent years. It illustrates the union density of workers together with collective bargaining coverage between 2013 and 2021. The gap between the two has risen from 1.6 in 2012 to 3.7 points in 2020, which reveals that a growing number of union workers cannot exercise the right of collective bargaining. This is primarily due to the problematic mechanism of authorization for collective bargaining, which Law No. 6356 retained from the law it replaced, as

Figure 3. Union density and collective bargaining coverage, 2013–2021 (% of the workers)



Source: The Ministry of Labor and Social Security (MoLSS) provides the number of union workers. The Turkish Statistical Institute (TURKSTAT) provides the numbers of all employees and civil servants.

Figure 4.
Shares of new union memberships by union confederation
(% joining, 2013–2022)



Source: The Ministry of Labor and Social Security

explored above. Also, a significant amount of workers who transitioned from public sector subcontracted jobs into public sector jobs in 2018 are still unable to access collective bargaining because of persistent government stalling.

The rise in union density over eight years is significant. Public sector subcontracted workers constitute a large share of this newly added 1.2 million union workers. A calculation based on the membership increase of the unions, which mainly recruited public sector subcontracted workers in the last eight years, yields an estimation that at least 800,000 of the new members are public sector subcontracted workers. Turkey had around 1 million public sector subcontracted workers, and nearly 750,000 of them transitioned into public sector jobs in 2018, while most of the rest remained working for subcontractors. Union density in the private sector stagnates at around 5%.⁵⁶

The 1.2 million union workers added since 2013 have generated substantial shifts in the trade union landscape over the

period. Assuming no existing member has switched unions, the share of new memberships going to the major union confederations has favored Hak-İş, as illustrated in Figure 4.

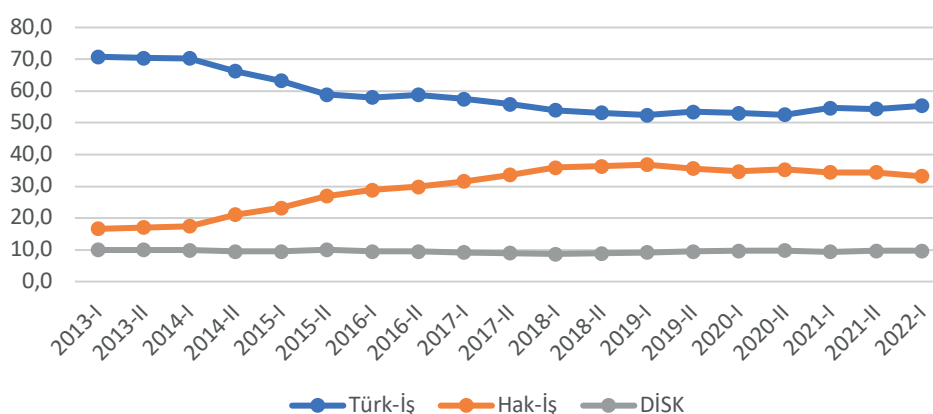
The share of union workers covered by the three main confederations has changed significantly since 2013, as Figure 5 below illustrates. While Hak-İş's share roughly doubled from 16.6% to 33.2% of unionized workers over the period, Türk-İş's share fell markedly — from 70.8% to 55.4%. DİSK's share barely moved, dropping from 10% to 9.7%. The share of other minor confederations and independent unions fell from 2.6% to 1.7% in that period. In January 2022, Türk-İş, Hak-İş and DİSK had 1,213,439, 727,187, and 212,593 members, respectively.

Hak-İş reached its peak membership share of 36.8% in January 2019, and it has declined slightly afterwards. In the March 2019 municipal elections, the AKP lost to the CHP-led opposition in several significant cities, including Istanbul and Ankara. In Istanbul, the AKP forced a re-run of the election in June but lost again by a greater margin. In Turkey, unionism in the municipalities is closely related to whichever party is running the city. Each party prefers the unions it has close, long-established relations with. Accordingly, the 2019 municipal elections were arguably the biggest factor behind the halt to Hak-İş's growth. On the other hand, since 2019, Türk-İş has clawed back some 3.6 points in its share of union members. Some Türk-İş unions like Koop-İş and Tez Koop-İş have benefited greatly from the aforementioned transition of subcontracted public workers and much more so than the affiliated Hak-İş union in the respective industry.

A look at the industries

As mentioned, Turkish union law specifies industry sectors in Turkey and allows unions to be established only at the industry level. The 2012 union law defined twenty different industry sectors, all of which exhibit different union densities. Table 4 below shows basic information for the 20 industries ranked according to their union densities among formal

Figure 5.
Share of membership by union confederation, 2013–2022 (% of all unionized workers)



Note: The suffix "-I" stands for January, while "-II" stands for July.
Source: The Ministry of Labor and Social Security

Table 4.
Union density by industry sector (January 2022)

		Union density among formal workers (%)	Union density including informal workers (%) (approx.)	Number of formal workers in the industry	Number of union workers	Number of unions in the ind.
1	Municipal work & general services	53,2	44,1	906.039	482.224	18
2	Health and social services	35,6	22,5	679.828	241.771	12
3	Banking & finance	33,8	33,5	300.196	101.342	6
4	Security serv. & arms manufacturing	30,6	29,6	233.736	71.570	16
5	Energy	29,9	28,4	249.954	74.851	7
6	Agriculture, fishing, forestry	22,4	5,4	160.771	35.984	7
7	Cement & glass manufacturing	20,4	18,7	183.628	37.389	7
8	Mining	19,9	19,7	207.366	41.338	8
9	Metal industry	16,6	15,3	1.838.225	305.389	12
10	Communication	16,3	15,9	191.083	31.128	6
11	Food manufacturing	12,1	11,1	684.812	82.761	7
12	Petrochemical industry	10,9	10,0	572.562	62.210	6
13	Transportation	9,3	7,7	902.317	83.672	13
14	Media, journalism	9,3	9,1	95.484	8.853	5
15	Textile & garment manufacturing	8,6	7,9	1.313.432	112.712	16
16	Shipbuild., sea transp. & warehousing	8,6	7,1	218.414	18.693	5
17	Tree & paper manufacturing	7,7	7,1	281.600	21.736	9
18	Trade, retail, office & education	6,9	6,2	3.959.776	272.900	28
19	Hospitality & entertainment	5,3	4,6	959.445	50.420	18
20	Construction	3,9	3,0	1.355.694	52.702	9
	TOTAL	14,3	12,1	15.294.362	2.189.645	215

Source: The Ministry of Labor and Social Security

workers according to data provided by the MoLSS. The table also presents approximate union density figures for each industry's workers, including informal workers. TURKSTAT provides the data of informal workers in eighteen industries defined according to international standards. The MoLSS, on the hand, defines twenty industries, some of which are defined in a somewhat arbitrary way. Union density, including informal workers among 20 industries, is estimated by adjusting the data from these different data sets.

There is a significant difference in the number of workers employed in the different industries defined by the 2012 union law. While the media and journalism industry employs less than 100,000 formal workers, the "trade, retail, office and education" industry employs nearly 4 million formal workers. The latter is an arbitrary and gigantic combination of different service industries, which keep growing in terms of employment. The "trade, retail, office and education" industry used to employ 20% of formal workers in 2013, while the ratio reached 26% in 2022.

Some other industries above also need clarification since their composition is not coherent with any international standard. For example, "Security services and arms manufacturing" combines security services provided by the private

sector with arms manufacturing, where public employment has a significant share. In addition, because public institutions have subcontracted their security services since the 2000s, there is a significant share of public sector subcontracted workers in this industry sector.

"Municipal work and general services" combine the employment in the municipalities with so-called "general services," which implies janitorial and cleaning services. While the industry employs around 900,000 workers, we know that some 730,000⁵⁷ of them are employed by municipalities. Public workers employed by municipalities lead the unionization in this sector. Public sector subcontracted workers working in municipalities or as cleaners in other public institutions have joined them since the mid-2010s. The industry has the greatest union density by far (53%), and more than one-fifth of all union workers in Turkey are in this industry.

"Shipbuilding, sea transportation and warehousing" is another arbitrarily defined industry. While all other forms of transportation were united in 2012 in the transportation industry (thirteenth in the above table), sea transportation was excluded. According to international standards, warehousing is also mostly considered to be a part of the transportation industry, while shipbuilding companies are usually included in the metal industry.⁵⁸

Table 5.

Top 15 worker unions by total membership (January 2022)

	Union	Conf.	Date of est.	Industry	Number of members	Membership among formal workers of the industry (%)
1	Hizmet-İş	Hak-İş	1979	Municipal w.	243.643	26,9
2	Türk Metal	Türk-İş	1963	Metal manuf.	224.823	12,2
3	Öz Sağlık-İş	Hak-İş	2014	Health	184.845	27,2
4	Genel-İş	DİSK	1962	Municipal w.	120.479	13,3
5	Belediye-İş	Türk-İş	1974	Municipal w.	116.154	12,8
6	Koop-İş	Türk-İş	1964	Trade, office	114.614	2,9
7	Tez-Koop-İş	Türk-İş	1962	Trade, office	114.233	2,9
8	Tes-İş	Türk-İş	1963	Energy	68.434	27,4
9	Yol-İş	Türk-İş	1963	Construction	50.577	3,7
10	Teksif	Türk-İş	1951	Textile	50.213	3,8
11	T. Sağlık-İş	Türk-İş	1961	Health	49.311	7,3
12	Özçelik İş	Hak-İş	1950	Metal manuf.	44.127	2,4
13	Petrol-İş	Türk-İş	1950	Petro-chem.	43.122	7,5
14	Öz İplik-İş	Hak-İş	1978	Textile	42.677	3,2
15	Öz Finans-İş	Hak-İş	2013	Banking	42.585	14,2

Source: The Ministry of Labor and Social Security

Union density ranges widely between 53% and 4%. The top six industries with the highest union density are “municipal work and general services,” “health and social services,” “banking and finance,” “security serv. & arms manufacturing,” “energy,” and “agriculture.” They all have a greater share of public workers or public sector subcontracted workers. The public employment ratio in “municipal work and general services” is approximately 80%. The ratio for “health and social services” is around 60%,⁵⁹ while for banking and finance, it is nearly 35%.⁶⁰ The sixth and seventh industries, “cement & glass manufacture” and “mining,” share the ex-

perience of relatively recent privatization that did not result in the total erosion of the membership base under the rule of new private employers. The predominantly private sector industry with the greatest union density is the metal industry, which includes mainly the manufacturing of consumer durables, automobiles and steel. Outranked only by “municipal work and general services,” the metal industry has the second greatest share (14%) among all union workers in Turkey.

If one focuses on the union densities, including informal workers, the industries whose density shrinks proportionally

Table 6.

Top 15 worker unions by new members (2013–2022)

	Union	Conf.	Date of est.	Industry	Additional members	Members in January 2022
1	Hizmet-İş	Hak-İş	1979	Municipal w.	192.564	243.643
2	Öz Sağlık-İş	Hak-İş	2014	Health	184.845	184.845
3	Koop-İş	Türk-İş	1964	Trade, office	86.525	114.614
4	Genel-İş	DİSK	1962	Municipal w.	79.013	120.479
5	Belediye-İş	Türk-İş	1974	Municipal w.	74.840	116.154
6	Türk Metal	Türk-İş	1963	Metal manu.	73.089	224.823
7	Tez-Koop-İş	Türk-İş	1962	Trade, office	63.914	114.233
8	T. Sağlık-İş	Türk-İş	1961	Health	44.047	49.311
9	Öz Finans-İş	Hak-İş	2013	Banking	42.585	42.585
10	Öz Büro-İş	Hak-İş	2011	Trade, office	28.538	34.526
11	Öz İplik-İş	Hak-İş	1978	Textile	25.671	42.677
12	Toleyis	Türk-İş	1977	Hospitality	24.683	38.695
13	Tes-İş	Türk-İş	1963	Energy	22.552	68.434
14	Öz Güven-Sen	Hak-İş	2015	Security	22.395	22.395
15	Güvenlik-İş	Türk-İş	2011	Security	20.721	20.960

Source: The Ministry of Labor and Social Security

Table 7.
Worker unions with the highest membership losses (2013-2022)

	Union	Conf.	Date of est.	Industry	Additional members	Members in January 2022
211	Şeker-İş	Türk-İş	1963	Food manu.	-3.484	12.183
212	Öz Orman-İş	Hak-İş	2008	Agriculture	-3.899	19.881
213	Teksif	Türk-İş	1951	Textile	-4.632	50.213
214	Turkon-İş	Independent	1992	Hospitality	-5.023	2.171
215	Banksis	Independent	1983	Banking	-6.475	5.109

Source: The Ministry of Labor and Social Security

the most are “agriculture, fishing, forestry,” “health and social services,” and “construction.”

A look at the unions with the highest membership and growth

According to MoLSS data, as of January 2022, there are 215 active worker unions in Turkey. Table 5 illustrates the top fifteen unions by total members. Although the Hak-İş union Hizmet-İş has taken first place, the Türk-İş confederation remains the most predominant, with nine unions among the top fifteen. The only DİSK union among the top fifteen is Genel-İş. Unions of municipal work and general services dominate the top five of the list. When the change in the number of members between January 2013 and January 2022 is scrutinized, the ranking alters. Hak-İş unions have a greater presence in Table 6. However, Türk-İş still dominates with eight unions. Hizmet-İş welcomed more than 192,000 members in nine years, a five-fold increase in its membership.

The bottom of this list is also interesting, as illustrated in Table 7. We find those unions that lost the most members in the last nine years among 215 active workers' unions. With 6,475 members, Banksis, an independent union, has lost the most members. Two well-established Türk-İş unions, Teksif and Şeker-İş, have lost 4,632 and 3,484 members, respectively. Seeing a Hak-İş union in such a list is unexpected — nevertheless, Öz Orman-İş found its way to the bottom.

4. A CLOSER LOOK AT THE THREE CONFEDERATIONS

Türk-İş

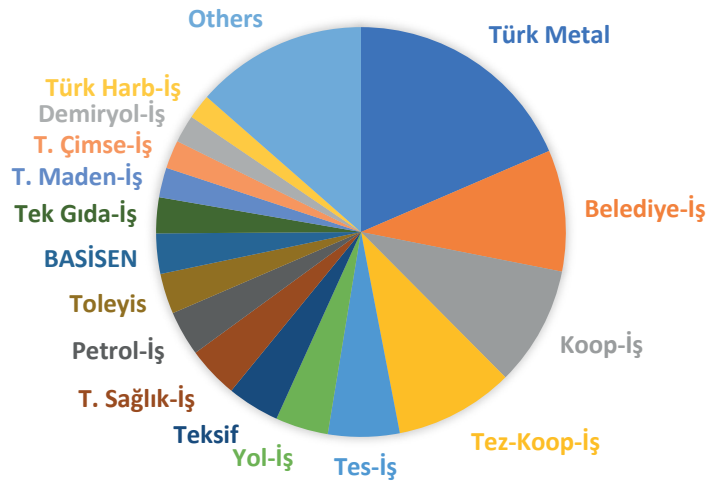
Formed in 1952, Türk-İş (The Turkish Confederation of Workers' Unions) is the oldest workers' union confederation, and historically it was mainly based on public workers' unions. Türk-İş has adopted a position of “above party politics” and maintains a conciliatory attitude vis-à-vis governments.⁶¹ Although its supremacy has been weakened, most union workers in Turkey are still Türk-İş members. As touched on before, Türk-İş membership share has fallen in the 2010s, indeed from 71% to 52.5% between 2013 and 2019. Since then, however, there has been slow growth in its share, which reached 55.4% in January 2022. Figure 6 illustrates relative membership size of Türk-İş unions, while Table 8

summarizes basic information for each Türk-İş union.

As Figure 6 reveals, Türk Metal is by far the largest union in Türk-İş, comprising 19% of the confederation's membership. As Table 8 illustrates, Türk Metal has added nearly 75,000 new members since 2013. Nichols and Sugur state that “any ranking of the trade unions that are important to the modern sector would have to put Türk Metal at the top of the list.”⁶² On the other hand, based on their fieldwork, they conclude that Türk Metal “embodies the worst aspects of the corporatist ideology and practice that characterised the early years of the Republic.”⁶³ They underline the authoritarianism of Türk Metal vis-à-vis its own members and account for several cases in which Türk Metal workers tried to get rid of the union but could not achieve this due to union-employer collaboration. Wannoffel (2011: 556) underlines that Türk Metal enjoys the support of MESS, the employer federation of metal industry. Indeed, in 2015, some 20,000 of Türk Metal members in nearly twenty factories staged wildcat strikes to protest the union and the collective agreement it signed.⁶⁴ This massive and unexpected outburst of workers' protest seemed to ignite some moderate change in Türk Metal, which has become slightly more militant, as indicated by the increasing number of protests it staged while organizing new workplaces in 2017.⁶⁵ In 2019, with the encouragement of IndustriAll, the global union federation of manufacturing workers, Birleşik Metal-İş and Türk Metal signed an agreement to minimize competition between them. The agreement declared that in the case of a dispute in workplace unionization, the unions will organize a referendum to decide which union will withdraw. Upon this agreement, Birleşik Metal-İş retracted its objection to Türk Metal's membership in IndustriAll, and Türk Metal finally became a member of IndustriAll. Nevertheless, the change in Türk Metal might be superficial at best given its history and recent claims that it keeps intervening in workplaces where employers try to bust unionization attempts led by Birleşik Metal-İş, such as the high-profile case of Farplas at the beginning of 2022. Belediye-İş, the municipal workers union, has gained some 41,000 new members since 2018 (75,000 new members since 2013) and ranked second among Türk-İş unions. The municipal election of 2019 and the AKP's loss of several major cities seemed to have caused a flow of members from Hak-İş unions to Belediye-İş.

Koop-İş gained roughly 55,000 new members since 2018, the greatest growth among Türk-İş members in this period

Figure 6.
Türk-İş membership — share of each affiliated union



Source: The Ministry of Labor and Social Security

and ranked third among confederation members. The public sector subcontracted workers transferred into public employment make up the lion's share of new members. Koop-İş had about 71,000 members in July 2020, which increased to 104,000 in January 2021, thanks to the transfer of these new public workers into the industries of their main public employers in November 2020. On the other hand, Koop-İş has also organized in the private sector. After two years of campaigning supported by UNI Global Union (formerly Union Network International), a global union federation, Koop-İş managed to organize and sign a collective contract in 2019 in H&M stores employing nearly 3,000 workers. In 2022 the union organized and signed a collective contract in Nike stores. Koop-İş's campaign to organize Koton, a Turkish clothing company with nearly 6,000 shop workers, has failed for the moment but nonetheless succeeded in recruiting a significant number of new members. Another significant influx of new members in the private sector was Metro Grossmarket workers. Metro is a German retail company with nearly 40 stores in Turkey. Metro Grossmarket workers used to be members of Sosyal-İş, a DİSK union. Sosyal-İş could not cross the industry threshold since the enactment of the 2012 law; however, it was held exempt from the industry threshold together with several unions of DİSK and Türk-İş, who used to cross the threshold before the introduction of new statistics in 2013. This exemption ended at the end of 2020, and it provoked a change of union in Metro Grossmarket.

Çelik observes that since 2007-2008, Türk-İş has hesitated to organize large-scale protests against the government.⁶⁶ As a reaction to this attitude, among other factors, at its 2011 congress, ten unions within Türk-İş, called the Platform of Unification of Union Power (Sendikal Güç Birliği Platformu), challenged the confederation leadership.⁶⁷ Their candidates could not be elected, but they decided to act together to build a more militant alternative to the conciliatory stance of the confederation. However, this initiative dissolved in the mid-2010s due to the rise of new, pro-AKP leaders in some of these unions. As one of the members of this platform, TÜMTİS (trans-

portation industry), with the support of the International Transport Workers' Federation (ITF), the global union federation of transportation workers, and UNI Global Union, won an impressive series of organizing victories in large-scale, international firms such as UPS, DHL and Aras Kargo in the 2010s.⁶⁸ TÜMTİS has attracted international attention not only because of its inspiring victories but also because of the heavy prison sentences received by its fourteen Ankara branch officials. In April 2017, the Turkish Court of Appeal approved the decision of the local court, and TÜMTİS officials received prison sentences ranging from 1.5 years to 6.5 years "for recruiting new members and obstructing the freedom of conducting business."⁶⁹ This irrational reasoning was shocking even in the face of declining legal standards in Turkey.

Hak-İş

Turkish labor unions are divided along ideological lines similar to those in France and Italy.⁷⁰ Embracing an Islamist ideology, the unionism of Hak-İş (The Confederation of Real Workers' Unions), established in 1976, mirrors that of social Catholicism in Europe, as scrutinized by Hyman.⁷¹ It practices a non-confrontational, integrationist approach based on harmony between employers and employees.⁷² Hak-İş's leadership champions a unionism based on the concept of social dialogue, and they are proud that the concept has become widely accepted within the labor movement in recent years.⁷³

Hak-İş hails from the same social base as the AKP, the governing party since 2002, and shares many ideological affinities with it, which explains much of the rapid growth of Hak-İş in the 2010s.⁷⁴ As Figure 4 illustrates, almost half of the new union members since 2013 have joined Hak-İş-affiliated unions, roughly half a million workers. Its membership share among all unionized workers grew from 17% in 2013 to 37% in 2019, which decreased to 33% as of 2022.

Although the AKP has close historical and ideological links with Hak-İş, this does not imply that AKP has a clear prefer-

Table 8.
Türk-İş unions in detail ranked according to the number of members

	Union	Industry	Date of est.	Rank among others unions in the industry	Number of members	Share among formal emp. in the industry %	Share among Türk-İş members %	Difference in the # of members since 2013
1	Türk Metal	Metal	1963	1	224.823	12,2	18,5	73.089
2	Belediye-İş	Municipal w.	1974	3	116.154	12,8	9,6	74.840
3	Koop-İş	Trade, office	1964	1	114.614	2,9	9,4	86.525
4	Tez-Koop-İş	Trade, office	1962	2	114.233	2,9	9,4	63.914
5	Tes-İş	Energy	1963	1	68.434	27,4	5,6	22.552
6	Yol-İş	Construction	1963	1	50.577	3,7	4,2	18.192
7	Teksif	Textile	1951	1	50.213	3,8	4,1	-4.632
8	T. Sağlık-İş	Health	1961	2	49.311	7,3	4,1	44.047
9	Petrol-İş	Petro-chem.	1950	1	43.122	7,5	3,6	15.730
10	Toleyis	Hospitality	1977	1	38.695	4,0	3,2	24.683
11	BASİSEN	Banking	1964	2	38.602	12,9	3,2	471
12	Tek Gıda-İş	Food manu.	1952	2	34.315	5,0	2,8	3.136
13	Türk Maden-İş	Mining	1958	1	28.522	13,8	2,4	4.321
14	T. Çimse-İş	Cement & glass	1963	1	27.147	14,8	2,2	7.005
15	Demiryol-İş	Transport.	1952	2	26.502	2,9	2,2	11.939
16	Türk Harb-İş	Security	1963	1	23.759	10,2	2,0	2.625
17	Hava-İş	Transport.	1962	3	22.872	2,5	1,9	9.375
18	T. Haber-İş	Communication	1962	1	21.183	11,1	1,7	4.980
19	Güvenlik-İş	Security	2011	3	20.960	9,0	1,7	20.721
20	BASS	Banking	1972	3	14.872	5,0	1,2	4.426
21	TÜMTİS	Transport.	1949	4	13.629	1,5	1,1	6.854
22	Tarım-İş	Agriculture	1961	2	12.765	7,9	1,1	2.812
23	Şeker-İş	Food manu.	1963	3	12.183	1,8	1,0	-3.484
24	G. Maden-İş	Mining	1946	2	8.964	4,3	0,7	-2.454
25	Türk Deniz-İş	Transport.	1983	1	7.121	3,3	0,6	2.585
26	Kristal-İş	Cement & glass	1965	2	6.626	3,6	0,5	-121
27	Ağaç-İş	Paper manu.	1949	2	4.990	1,8	0,4	2.544
28	T. Dok Gemi-İş	Shipb., sea tran.	1947	3	4.508	2,1	0,4	2.263
29	Deriteks	Textile	1948	4	4.437	0,3	0,4	2.633
30	Selüloz-İş	Paper manu.	1952	3	3.820	1,4	0,3	552
31	Basın-İş	Media	1963	2	2.357	2,5	0,2	566
32	T. Orman-İş	Agriculture	1975	3	1.680	1,0	0,1	956
33	TGS	Media	1952	3	1.449	1,5	0,1	632

Source: The Ministry of Labor and Social Security

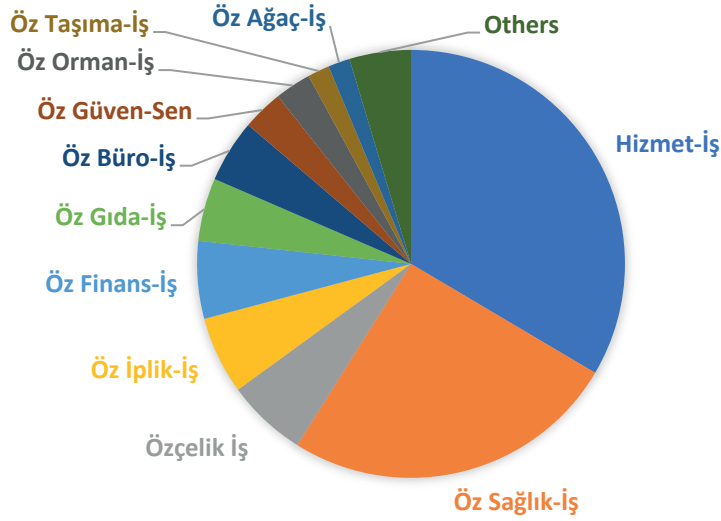
ence for all Hak-İş unions over Türk-İş unions. By adopting a position “above party politics” and a conciliatory attitude, Türk-İş has always sought to work closely with whichever government is in power.⁷⁵ Especially since 2013, when Türk-İş appointed a new president, the governing board has forged close relations with AKP, although there have been moments of tension due to its competition with Hak-İş. Figure 7 illustrates relative membership size of Hak-İş unions, while Table 9 summarizes basic information for each Hak-İş union.

Hizmet-İş, which covers municipal workers, and Öz Sağlık-İş, whose membership is mainly health workers, together con-

stitute nearly 60% of Hak-İş membership. Both are organized in the public sector, and their incredible growth rests on the trajectory of public subcontracted workers’ unionization and transition. Since 2013 Hizmet-İş gained nearly 200,000 new members, while Öz Sağlık-İş, which was founded in 2014, became the third biggest union in Turkey, with some 185,000 members gained in only eight years. Öz Sağlık-İş had 53,749 members in July 2020, which rose to 185,370 in January 2021 at an incredible speed. However, there are allegations that Öz Sağlık-İş used improper tactics based on union ties with bureaucrats to sign-up health workers who had transferred from subcontracted to public employment.⁷⁶

Figure 7.

Hak-İş membership — share of each affiliated union



Source: The Ministry of Labor and Social Security

Twelve new Hak-İş unions in 11 industries have been established since 2011. Those which grew rapidly, such as Öz Sağlık-İş, Öz Büro-İş, and Öz Güven-Sen, organized mainly public sector subcontracted workers. Öz Finans-İş in the banking sector organized public workers employed by two

public banks, Ziraat Bankası and Halk Bank.⁷⁷ On the other hand, Öz Çelik-İş, Öz İplik-İş and Öz Gıda-İş are the three biggest Hak-İş unions with members predominantly employed by the private sector. Öz İplik-İş's membership growth since 2013, nearly 26,000 new members, is worthwhile to note.

Table 9.

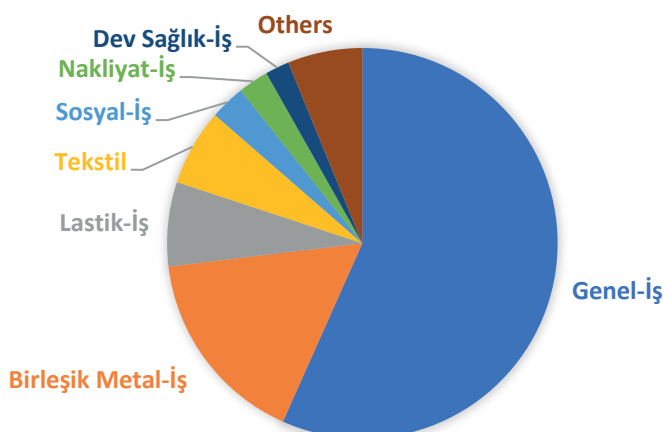
Hak-İş unions in detail ranked according to the number of members

Union	Industry	Date of est.	Rank among others unions in the industry	Number of members	Share among formal emp. in the industry %	Share among Hak-İş members %	Difference in the # of members since 2013
1 Hizmet-İş	Municipal w.	1979	1	243.643	26,9	33,5	192.564
2 Öz Sağlık-İş	Health	2014	1	184.845	27,2	25,4	184.845
3 Öz Çelik İş	Metal	1965	2	44.127	2,4	6,1	16.634
4 Öz İplik-İş	Textile	1978	2	42.677	3,2	5,9	25.671
5 Öz Finans-İş	Banking	2013	1	42.585	14,2	5,9	42.585
6 Öz Gıda-İş	Food manu.	1976	1	34.707	5,1	4,8	13.736
7 Öz Büro-İş	Trade, office	2011	3	34.526	0,9	4,7	28.538
8 Öz Güven-Sen	Security	2015	2	22.395	9,6	3,1	22.395
9 Öz Orman-İş	Agriculture	2003	1	19.881	12,4	2,7	-3.899
10 Öz Taşıma-İş	Transport.	2013	4	12.043	1,3	1,7	12.043
11 Öz Ağaç-İş	Paper manu.	1980	1	11.967	4,2	1,6	4.587
12 Oleyis	Hospitality	1947	2	7.426	0,8	1,0	1.069
13 Liman-İş	Shipb., sea tran.	1963	2	5.972	2,7	0,8	2.832
14 Medya-İş	Media	2012	1	4.697	4,9	0,6	4.137
15 Öz Toprak-İş	Cement & glass	2014	3	3.415	1,9	0,5	3.415
16 Öz Petrol-İş	Petro-chem.	2003	3	3.362	0,6	0,5	2901
17 Enerji-İş	Energy	2013	3	3.114	1,2	0,4	3.114
18 Öz Maden-İş	Mining	2011	3	3.089	1,5	0,4	2.992
19 Öz İletişim-İş	Communication	2014	3	2.376	1,2	0,3	2.376
20 Öz İnşaat-İş	Construction	2015	4	340	0,0	0,0	340

Source: The Ministry of Labor and Social Security

Figure 8.

DİSK membership — share of each affiliated union



Source: The Ministry of Labor and Social Security

DİSK

DİSK (The Confederation of Progressive Trade Unions), founded in 1967, is the closest union confederation in Turkey to the class unionism of three ideal types of trade unionism defined by Hyman.⁷⁸ It remains “the most radical confederation in its critical attitude toward government policy and labor rights.”⁷⁹ DİSK lost a significant portion of its membership to Türk-İş in the 1980s after it was de-registered in the period of military rule. Reopened in 1992, DİSK never recovered from this loss, and with the rise of Hak-İş in the 2000s, it became the third confederation in terms of membership. Nevertheless, its share among union workers has been relatively stable since 2013. It decreased from 10% in 2013 to 8.7% in 2018, then increased back to 9.7% in January 2022. Figure 8 illustrates relative membership size of DİSK unions, while Table 10 summarizes basic information for each DİSK union.

DİSK has the most unbalanced distribution in terms of the size (registered members) of the unions within the confederation. Genel-İş of municipal workers raised its share among DİSK membership from 41% in 2013 to 57% in 2022. Like other unions in municipal work and general services, almost all of these new members seem to be public sector subcontracted workers. Genel-İş is the main DİSK union that could benefit from the subcontracted public sector workers’ unionization wave.

Birleşik Metal-İş, a union of metal workers organized in the private sector, constitutes 16% of DİSK membership with its nearly 35,000 members. Birleşik Metal-İş builds on Maden-İş of the 1960s and 1970s, which was the flagship of working-class militancy in the private sector with its clear class unionist attitude and practice.⁸⁰ However, Birleşik Metal has lost much of its power and membership base to Türk Metal due to the anti-DİSK attitude of the 1980 coup and employers’ preference for Türk Metal over Birleşik Metal. Noteworthy criticisms are not absent about some recent practices of Birleşik Metal-İş among left-wing union circles; however, it is

arguably still the flagship of working-class militancy in the private sector, although its militancy is watered-down to a significant extent, especially compared to the 1970s. Industry-wide collective bargaining between metal unions and employers is still the single most important and conflict-ridden arena of organized struggle between two classes in Turkey, and this is mostly due to Birleşik Metal-İş’ relative militancy.

Two DİSK unions, Sosyal-İş and Nakliyat-İş, crossed the industry threshold before the enactment of the 2012 law. However, with changes to the statistical measurement with the 2012 law, they found themselves below the threshold. In response, the AKP government exempted Sosyal-İş and Nakliyat-İş and one Türk-İş union (Deriteks) from the industry threshold. This exemption was renewed several times. However, the exemption lapsed at the end of 2020, leaving these two unions without the formal authorization to sign collective agreements. However, they can still mobilize and sign collective agreements by tapping into their organizational power in the workplace or the sympathy of specific employers. The lapse in authorization is the main reason Sosyal-İş lost some 3,000 members in 2021.

Meanwhile, with a new wave of organization among subcontracted public sector workers who have been transitioned into public employment, Enerji-Sen has exceeded the industry threshold in 2022. Overall, only six DİSK unions can exceed the industry threshold in 2022.

Table 10.

DİSK unions in detail, ranked according to the number of members

	Union	Industry	Date of est.	Rank among others unions in the industry	Number of members	Share among formal emp. in the industry %	Share among DİSK members %	Difference in the # of members since 2013
1	Genel-İş	Municipal w.	1962	2	120.479	13,3	56,7	79.013
2	Birleşik Metal-İş	Metal	1949	3	34.913	1,9	16,4	8.852
3	Lastik-İş	Petro-chem.	1949	2	14.829	2,6	7,0	7.661
4	Tekstil	Textile	1965	3	13.455	1	6,3	3.252
5	Sosyal-İş	Trade, office	1966	4	6.163	0,2	2,9	-1.083
6	Nakliyat-İş	Transport.	1975	5	5.358	0,6	2,5	2.569
7	Dev Sağlık-İş	Health	1974	3	4.238	0,6	2,0	3.004
8	Enerji-Sen	Energy	2007	2	3.274	1,3	1,5	2.995
9	Güvenlik-Sen	Security	2013	4	2.723	1,2	1,3	2.723
10	Dev Turizm İş	Hospitality	2011	4	1.594	0,2	0,7	1587
11	Bir.Tar.Or.İş.Snd.	Agriculture	2014	4	1.521	0,9	0,7	1.521
12	Gıda-İş	Food manu.	1947	4	1.424	0,2	0,7	-364
13	Dev Yapı-İş	Construction	1970	2	755	0,1	0,4	753
14	Limter-İş	Shipb., sea tran.	1976	5	504	0,2	0,2	370
15	Basın-İş	Media	1947	4	349	0,4	0,2	-197
16	Dev Maden-Sen	Mining	1959	5	235	0,1	0,1	57
17	Tümka-İş	Paper manu.	1971	5	196	0,1	0,1	-397
18	Cam Keramik-İş	Cement & glass	1968	4	167	0,1	0,1	167
19	İletişim-İş	Communication	2013	6	164	0,1	0,1	164
20	Sine-Sen	Trade, office	1978	9	156	0	0,1	141
21	Bank-Sen	Banking	1972	5	96	0	0,0	-397

Source: The Ministry of Labor and Social Security

III.

CIVIL SERVANT UNIONISM

1. THE LEGAL FRAMEWORK OF CIVIL SERVANT UNIONISM

As mentioned earlier, there are 3.5 million civil servants in Turkey. About 500,000 of them are “contracted personnel” with temporary and insecure employment contracts. In Turkish law, civil servants’ individual and collective rights are regulated by entirely different laws than those for workers in the private and public sectors.

After an amendment to the constitution in 2010 and an amendment to Law No. 4688 on Public Servants’ Trade Unions in 2012, civil servants acquired the right to collective bargaining. Every two years since, a collective agreement has been signed. However, negotiations were limited to less than one month, and the law maintained the ban on strike for civil servants. If the union and the government cannot reach an agreement during the bargaining, a special arbitration board makes the final decision. The government determines most of the members of this board. Therefore, the *Joint Report of the EU–Turkey Joint Consultative Committee* states that the salary fixing system, as foreseen by Law No. 4688, cannot be rightly called collective bargaining. According to the report, this system does not involve “negotiation” but merely “consultation.” The law also maintained the ban on unionization by specific categories of civil servants, including judges, public prosecutors, police officers and military personnel.⁸¹ As a result, in 2021, nearly 800,000 civil servants (23% of the total) were not legally eligible to join a union.

Another problem of civil servant unionism due to the legal framework is related to the union dues. The state has paid civil servants’ union dues since 2005, when during a collective consultation process Türkiye Kamu-Sen and Memur-Sen demanded this practice, while KESK criticized it.⁸² However, scholars convincingly argue that this results in the financial dependency of civil servant unions on the state (i.e., their employer), which undermines their capacity to defend their members’ rights.⁸³

2. THE CHANGING LANDSCAPE OF CIVIL SERVANT UNIONISM

There are three main confederations of unions representing civil servants: Türkiye Kamu-Sen (established in 1992), KESK

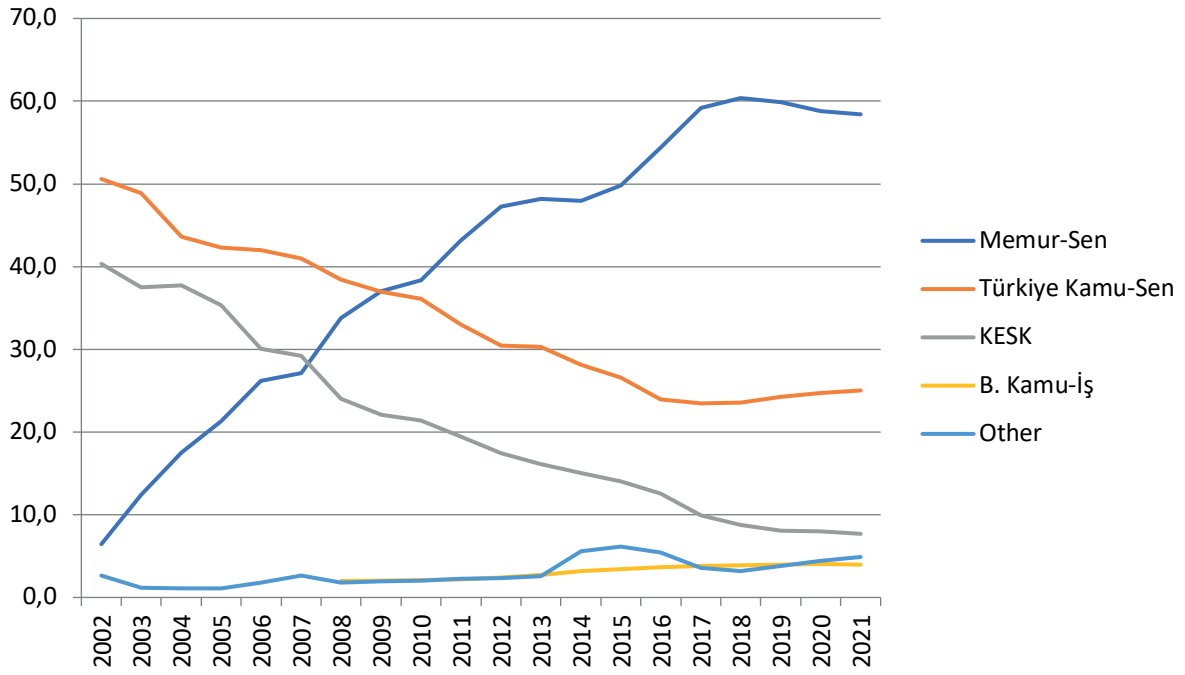
(1995) and Memur-Sen (1995). Civil servant unions are also divided along ideological lines. Türkiye Kamu-Sen is close to the nationalism of the National Action Party (MHP), KESK is left-leaning and close to the Peoples’ Democratic Party (HDP), while Memur-Sen has ties to Islamism and the AKP.⁸⁴ In terms of politics and ideology, KESK and DİSK are broadly aligned, as are Memur-Sen and Hak-İş.⁸⁵ However, the same cannot be said for the pairing of Türkiye Kamu-Sen and Türk-İş. While Türk-İş embraces a position “above party politics” and always tries to build close relationships with the governing parties, Türkiye Kamu-Sen has a stronger ideological tendency.

As mentioned above, the union membership data for workers provided by the MoLSS before 2013 was exaggerated and unreliable. Nonetheless, the MoLSS has published reliable union membership data for civil servants annually since 2002. As of 2021, 65% of nearly 2.7 million civil servants eligible to join a union were union members. This is a slight increase from 2003 (when the figure was 63%).

The landscape of civil servant unionism has changed even more dramatically than that of worker unions. Memur-Sen — which now dominates the sector — had just 42,000 members in 2002. With steady growth in the last decades, by 2021, the union had grown to roughly 1 million members. Put another way, its share of unionized civil servants rose from 6% to 58% over the period, as shown in Figure 9. As of July 2021, Memur-Sen, Türkiye Kamu-Sen and KESK had 1,004,152; 430,183 and 132,225 members, respectively.

Despite its skyrocketing membership, the ITUC has twice (2006 and 2011) refused Memur-Sen’s application for membership, claiming that the independence of the union confederation was questionable. In 2018, the MoLSS nominated Memur-Sen as the workers’ delegate from Turkey to the ILO Conference because its membership exceeded that of Türk-İş. For nearly 70 years, from its establishment in 1952 until 2018, Türk-İş had been nominated as the delegate. Memur-Sen’s nomination (unsurprisingly) provoked a stark reaction from Türk-İş, joined by DİSK, KESK and Türkiye Kamu-Sen, which led the ITUC to lodge an objection to the ILO. The ILO upheld the objection and criticized the Turkish government’s unilateral decision to nominate Memur-Sen without first consulting the most representative organizations.⁸⁶

Figure 9.
Share of unionized civil servants by confederation (%)



Source: The Ministry of Labor and Social Security

Since 2012, KESK has suffered from arrests and repressive measures. In 2012, 72 KESK members and executives were arrested based on the confederation's alleged connections to the PKK. In 2013, all of them were released, but their trial continued until 2017. During the state of emergency between July 2016 and July 2018, nearly 126,000 civil servants were fired, 4,218 of whom were KESK members.⁸⁷ In August 2017, 682 teachers in the southeastern provinces, all members of KESK, were subject to compulsory reassignment to other provinces for "participating in marches contrary to the Turkish Republic's fight against terrorism."⁸⁸ Furthermore, several KESK leaders were arrested during the state of emergency. According to a KESK report, 66 KESK members and executives were in jail as of January 2018.⁸⁹

IV.

CONCLUSION

Unions in Turkey are neither helpless nor hopeless. There are 1.7 million unionized civil servants and nearly 2.2 million union workers, which makes a total of 3.9 million union members in the country. Among some 22 million people, the total number of employees in Turkey, the nearly 4 million union members constitute a significant social base and power resource.

Despite its defects, the mobilization and ensuing victory of public sector subcontracted workers exemplifies the potential of unions, especially if they apply cumulative pressure. Workers and unions forced the government to implement this massive de-privatization of nearly 750,000 subcontracted workers in 2018. To assess the significance of this victory, one should recall that AKP was the power behind the skyrocketing subcontracting in the public sector. Unfortunately, the three confederations of workers' unions failed to collaborate in this struggle due to competition and ideological differences. Nevertheless, they acted for the same cause, and the cumulative pressure had decisive effects.

The joint action by the three union confederations to defend severance pay in 2020 was also a significant success, albeit with unions on the defense rather than the offense. Amid the pandemic, the AKP introduced new legislation into the parliament that would undermine the right of severance pay for workers below 25 and above 50 years of age. DİSK and Türk-İş organized numerous street protests. Hak-İş joined them in a press conference to condemn the law. Subsequently, the AKP had to withdraw the amendment.

In May 2015, Turkey experienced wildcat strikes on an unprecedented scale when thousands of metalworkers walked off the job. In the first two months of 2022, Turkey witnessed another massive unauthorized strike wave. Thousands of mostly non-union workers staged a total of 108 strikes in January and February 2022. In these two months, workers in Turkey organized more unauthorized strikes than they had in either 2020 or 2019. The main demand was increased pay in the face of skyrocketing inflation. These strikes revealed the militant mood among Turkish workers, an opportunity that unions could tap into and mobilize. The impact of independent and left-wing unions on this strike wave was substantial. Even though the membership base of such unions remains very small, their contribution to the recent wave of strike ac-

tion portends a potential role in the possible revitalization of the labor movement in the near future. With ongoing high inflation and erosion of the wages, no one in the labor movement will be surprised if the country witnesses another such strike wave in 2022.

For workers, the authorization process for collective bargaining, as the law prescribes, is the major obstacle to unionization in the private sector. Without the right to strike, civil servants are still far from enjoying the right to collective bargaining. Demanding specific amendments to the union law to facilitate unionization or mobilizing for the annual tripartite negotiations over the minimum wage for workers (which also affects civil servants' wages) could serve as unifying elements for unions to collectively pressure the government. However, the hold that the AKP and its partner, the MHP, have on the leadership of four of the six big union confederations is a major obstacle to such a collective mobilization.

The rise of authoritarianism and arbitrary rule in Turkey renders unions and, indeed, all egalitarian and democratic forces of the country increasingly vulnerable. Nevertheless, AKP is highly dependent on and sensitive to the support of the working class, and the party leadership is well aware of that. Moreover, Turkey is due to hold general and presidential elections in the summer of 2023 (at the latest). Polls show that the opposition has the upper hand in the presidential race. This vulnerability of the AKP provides an opportunity for the labor movement. Only time will tell whether workers will seize this opportunity or not.

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TRADE UNIONS IN TURKEY 2022



Turkey is experiencing an ongoing currency crisis and high inflation, which as of March 2022 is running at 61 percent according to the government. Estimates from independent researchers, however, put the inflation rate as high as 143 percent.

In the first two months of 2022, Turkey witnessed a massive unauthorized strike wave. Thousands of mostly non-union workers staged a total of 108 strikes. The main demand was increased pay in the face of skyrocketing inflation. These strikes revealed the militant mood among Turkish workers, an opportunity that unions could tap into.

Since the 1980s, Turkey experienced one of the sharpest de-unionization trends among the OECD countries. Collective bargaining coverage, a good proxy for union density in Turkey, fell from %27 in 1988 to 6% in 2013, and then rose to 9% in 2021.



The main reason behind the recent increase was the unionization of workers employed by subcontractors working for public institutions. The mobilization of these workers pushed the AKP government to transition most public sector subcontractees into regular public employment status. In the private sector, however, the bargaining coverage is around 5%.

Union laws for workers and civil servants are far from aligned with ILO conventions. The authorization process for collective bargaining in a newly unionizing workplace is extremely difficult. The right to strike has been further restricted in recent years. Since 2016, according to the International Trade Union Confederation (ITUC), Turkey has been among the ten worst countries for workers.

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