Analysis of OHS legislation in the process of EU accession of Turkey

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Evolution of OHS Legislation in Turkey's History

- **Ottoman Era & establishment of Turkish Republic**
- **Early Republic – WW2**
- **1945-60**
- **Social state phenomenon**
- **Military cue & 1982 Constitution – 2000**
- **EU accession of Turkey**

Ratification of ILO Conventions

– **8 Fundamental Convention**

– **Overall 56 Convention**

Freedom of association & collective bargaining	Abolition of Forced labour	Discrimination	Worst form of Child labour
1952-1993	1961-1998	1967-1967	1998-2001

Ratification of ILO Conventions

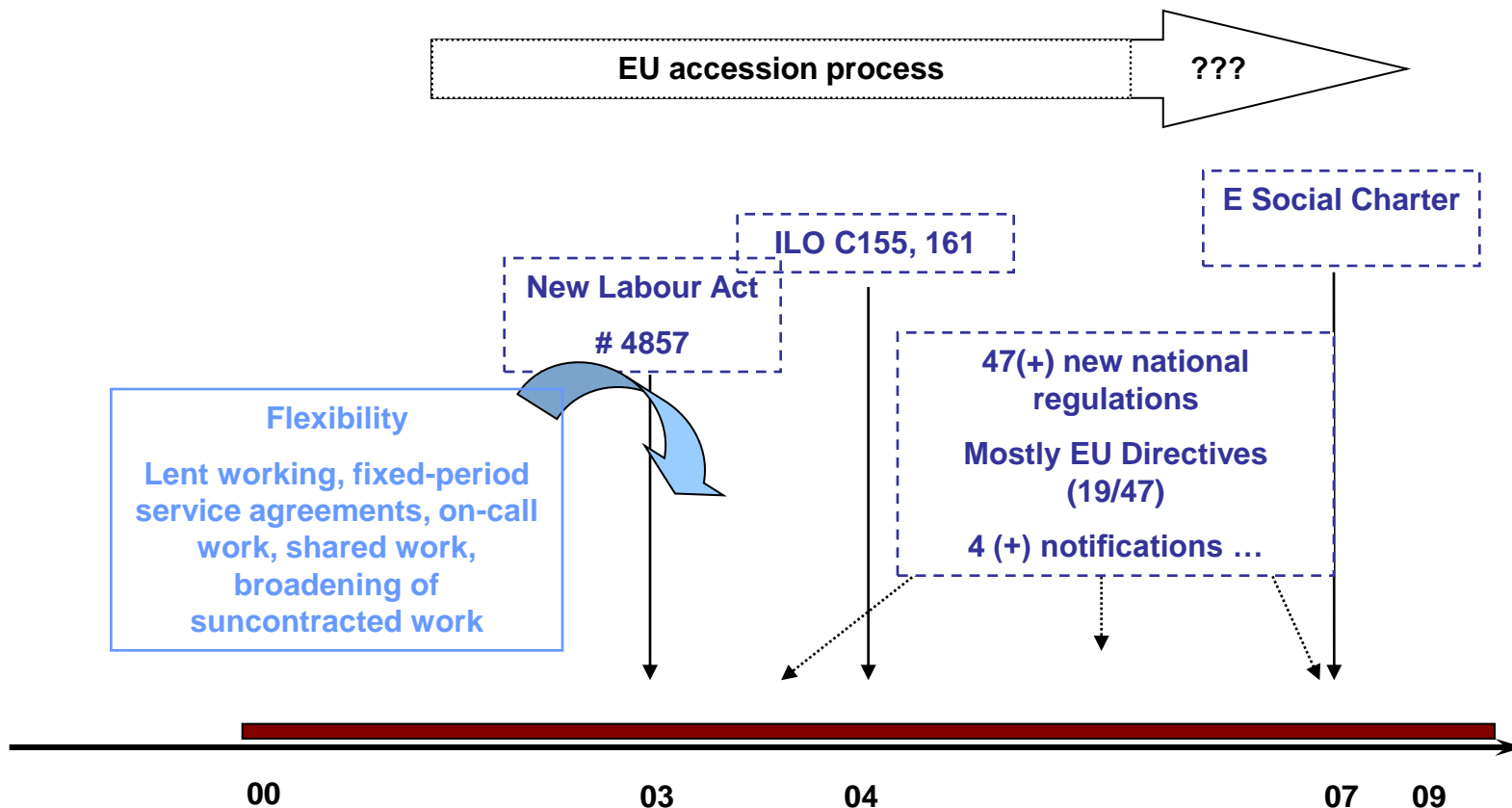| C155 Occupational Safety and Health Convention, 1981 & C161 Occupational Health Services Convention, 1985 |
| :---: |
| **2005** |

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Transformation of national OHS policies & international dynamics

Occupational Health & Safety NETworking in EASTern Europe

WfS & stronf union movement

Strong NL wawe & EU accession

LAct

Welfare State

Military cue & begining of neoliberal period

MoL

Turkey becomes a member of UN & ILO

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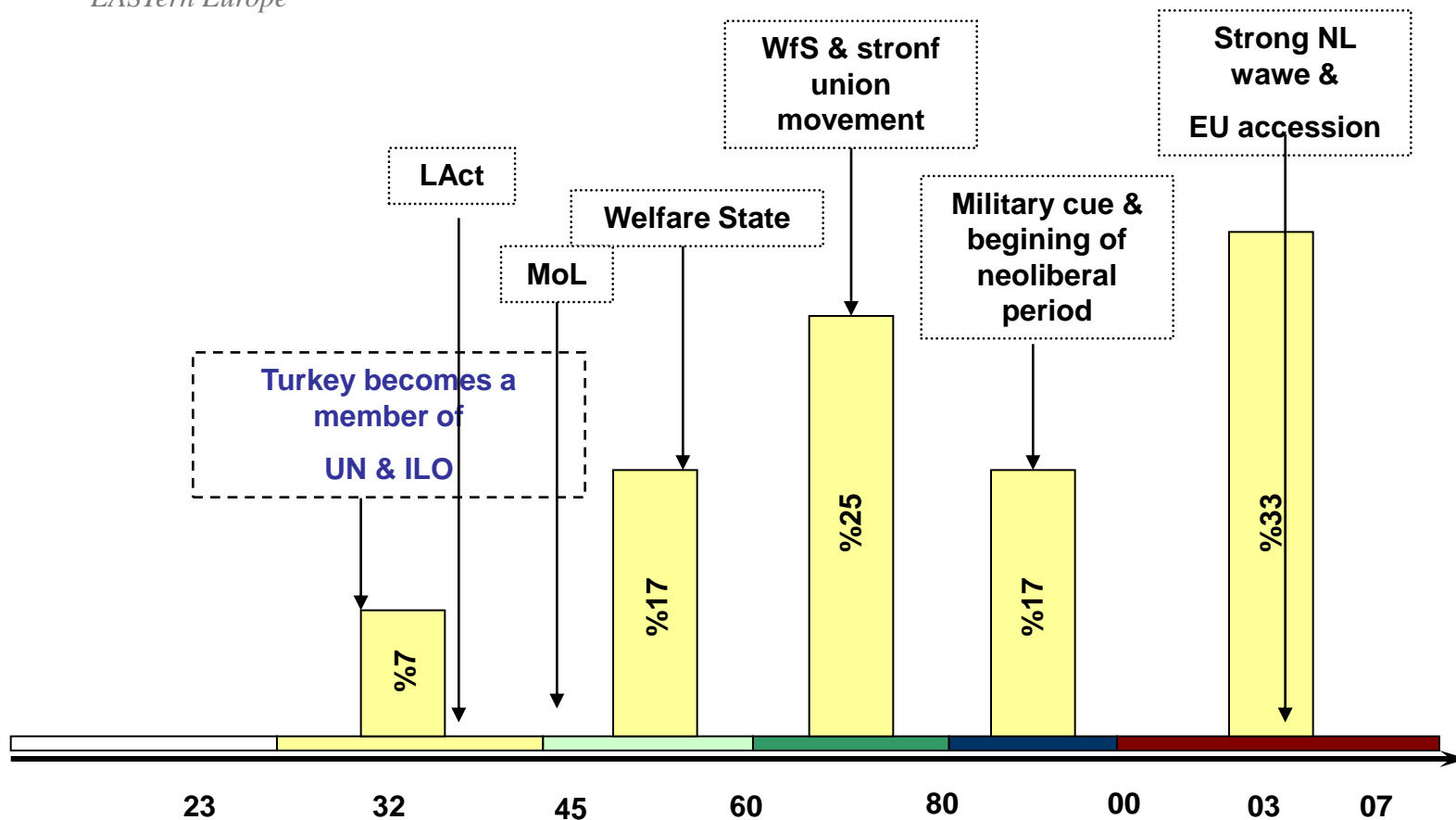
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Latest developments & interactions between national OHS regulations EU accession of Turkey

Occupational Health & Safety NETworking in EASTern Europe

EU accession process   ???

E Social Charter

ILO C155, 161

New Labour Act # 4857

Flexibility

Lent working, fixed-period service agreements, on-call work, shared work, broadening of suncontracted work

47(+) new national regulations

Mostly EU Directives (19/47)

4 (+) notifications …

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A critique on the harmonization of OHS regulations

- **In the process of negotiations**
    - **An optimistic approach from MoLSS**
        - **NOHC**
        - **NOHSPD**
        - **Harmonization continues**
        - **No single separate OHS Act**

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A critique on the Labour Act

- **Poorly & eclectically adopted**
  - **Most of the basic OHS principles are ignored or**
    - **Covers core labour force**
    - **Allows flexibility but do not strongly protect labour**
    - **Inconsistent and**
    - **…**

Critique of the new OHS regulations

- **OHS Regulation is denounced**
  - **Model of OHS service is changed – limitation of access to OHS!!!**
  - **Moore room for private sector / poor regulatory tools & monitoring**
- **The harmonization process was hurried**
  - **MoLSS' organization & infrastructure is efficient**
  - **Labour force is not comprehensively covered**

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Occupational Health & Safety NETworking in EASTern Europe

- **Draft of OHS Act**
  - **National policy is not realistic**
  - **System of OHS is not thoroughly defined**
    - **Actors**
    - **Connections**
    - **Interactions**
    - **Legal framework**

Proposed actions to make it better!

- **Full coverage**
- **Holistic approach**
- **OHS system should be defined**
  - **inputs & outputs**
  - **Structure**
    - **Technical, organizational, hierarchical components**
  - **Functions**
  - **Manpower**
    - **Education & training**
  - **Finance**
  - **Connections & relations with other systems**

Proposed actions to make it better!

Decisions to be made

- **Political**
  - **participation**

- **Strategic**
  - **Problem oriented/specific, organization of the state's mechanisms**

- **Managerial**
  - **Manpower – appointment …, education&training, team work**

- **Operational**
  - **Action plans, coordination …**

Component of Production & Affected Factors
What should be taken into concideration in the process of coordination & cooperation between related actors?

Occupational Health & Safety NETworking in EASTern Europe

Deregulation, privatization, contracted work, downsizing

Technology
Tech dependent, complicated, intensive

Manufacture
Flexible, demand oriented

Functions of State

protection
inspection
regulation

Work
Fragmanted, monotonous, flexible

Deteriorated work relations

Changed tripartite structure

Market
On time, diversity/variation, freedom of choice
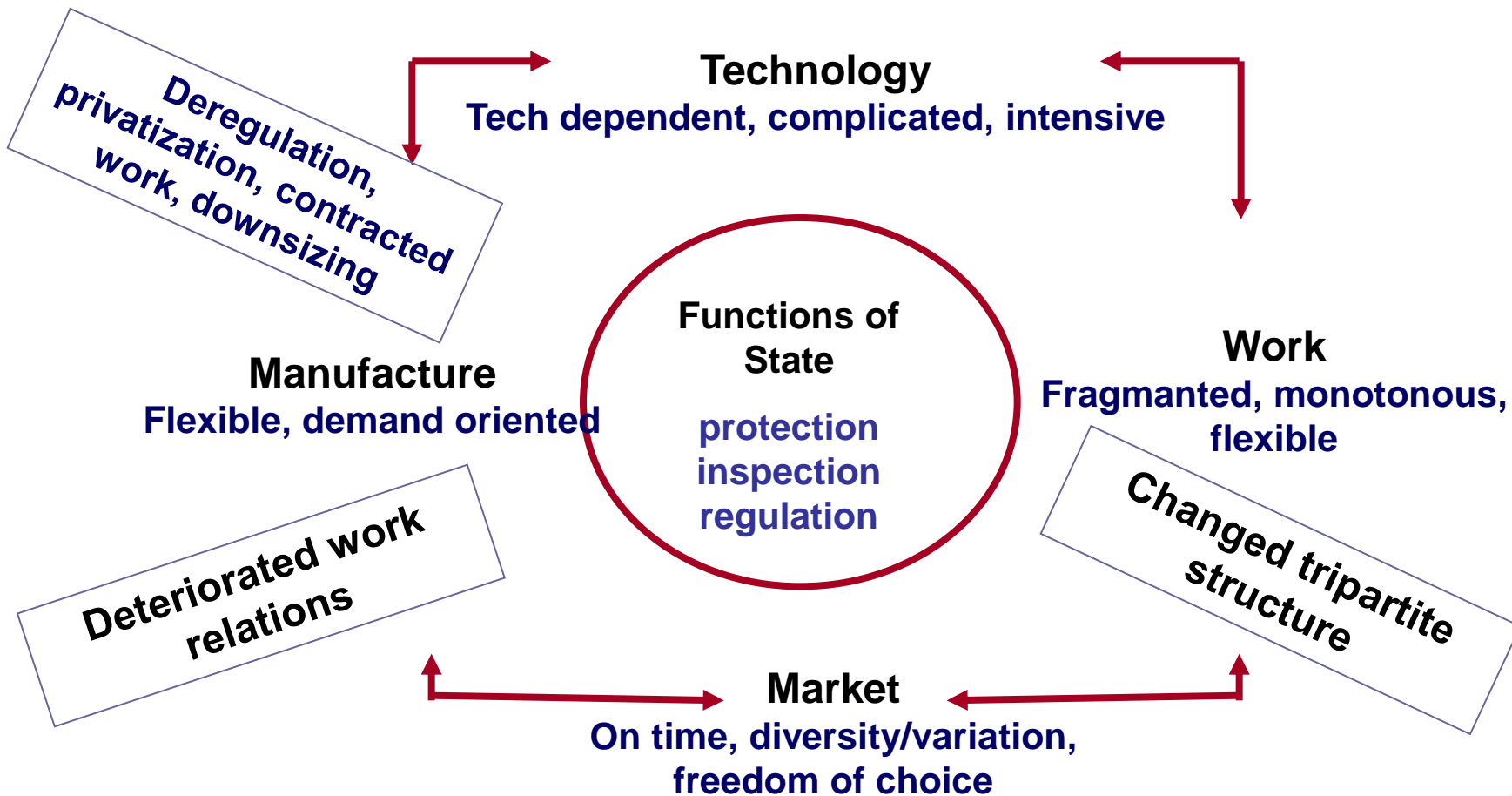
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Sabit ALAGÖZLÜ

Thank you & see you in İzmir next time… *A Ergör*
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