

Employing Foreign Staff in Türkiye

Practical Guide to Turkish Work Permits for Chinese Companies and Employer of Record Providers

**In Türkiye, a work permit is tied to a specific employer.
The first question is: who will be the legal employer?**

This guide is for Chinese companies, and for international Employer of Record (EOR) and HR service providers, that plan to send or hire foreign employees in Türkiye.

The guide is built around five key questions:

01 When does a foreign employee need a Turkish work permit?

02 What types of work permit exist?

03 What conditions must the Turkish employer meet?

04 Does the Employer of Record model work in Türkiye?

05 What happens after approval, and what are the main risks?

Hire legally from day one

Introduction

Turkish law prohibits foreigners from working in Türkiye without a work permit, and prohibits employers from employing them without one. Permits are issued by the Ministry of Labour and Social Security, and applications are made and processed electronically.

For Chinese companies, the practical difficulties rarely concern the employee alone. They usually concern the employer: whether there is a Turkish company that can apply, whether it meets the Ministry's employment and financial criteria, and whether the planned employment structure is lawful.

The legal structure should be decided before the employee travels, signs a Turkish contract or starts work. Changing it after a refusal or an inspection is much more difficult.

01 · When is a work permit required?

As a rule, every foreigner must obtain a work permit, or a work permit exemption where one applies, before starting work in Türkiye. This applies to employees of Turkish companies, to managers who are also shareholders, and to employees sent from China for longer assignments.

A valid work permit also serves as the employee's residence permit. The reverse is not true: a residence permit, for example a short-term residence permit obtained through property, does not give the right to work.

Short assignments: work permit exemptions

Some short activities do not require a full work permit, but they still require a **work permit exemption** (*çalışma izni muafiyeti*), which must be applied for. The exemptions most relevant to Chinese companies:

Installation & after-sales service

up to 3 months in total

Training on the use of goods exported to or imported from Türkiye; installation, maintenance and repair of imported machinery and equipment; receiving equipment; repairing vehicles that broke down in Türkiye.

Cross-border service providers

up to 3 months

For example, an employee of a company based in China who provides services directly to a person or company in Türkiye under a service contract.

Board members & partners

up to 3 months

Board members of a Turkish joint stock company who do not live in Türkiye, partners of other companies who are not managers, and non-partners authorised to represent the company at the highest level.

- Since 15 October 2024, an exemption can be applied for from inside Türkiye at any time while the person is legally present, or through a Turkish consulate abroad.
- After an installation or cross-border service exemption, a new application under the same exemption is possible only after six months.
- Exemptions cannot be extended. If the work will last longer than the exemption period, a work permit is required.

02 · Types of work permit

Work Permit Types

Definite-duration work permit

sürelî çalışma izni · the most common type

Issued for a specific job at a specific workplace of a specific employer (or its workplaces in the same line of business), never longer than the employment contract.

- First application: up to 1 year
- First extension, same employer: up to 2 years
- Later extensions: up to 3 years

Working for a different employer requires a new first application.

Indefinite work permit

süresiz çalışma izni

For foreigners with a long-term residence permit or at least 8 years of legal work permit periods. Meeting these conditions is not an absolute right; the Ministry decides.

The holder may work for one or more employers or independently, notifying the Ministry at least 10 days before starting at a new workplace. The document is renewed every 5 years.

Independent work permit

bağımsız çalışma izni · not tied to an employer

Under the Regulation, it may be issued to:

- certain professionals designated by the Ministry;
- foreign shareholder-managers of Turkish companies (managing partner of a limited company, shareholder board member of a joint stock company, managing partners of other companies);
- cross-border service providers whose work exceeds the exemption period (see section 04).

For shareholders, the foreign-partner criteria in section 03 apply.

Turquoise Card

Turkuaz Kart

For highly qualified employees, investors, scientists and others, assessed under a points system. It gives indefinite work and residence rights after a 3-year transition period, and family cards for the spouse and dependent children.

Longer first permits in special cases

- Intra-company transfer: up to 2 years (see section 04)
- Employees on certain time-limited public projects, or projects assessed as having a high contribution to the economy: up to 3 years
- Foreigners assessed as qualified workforce or qualified investors: up to 5 years

Every permit ends at least 60 days before the employee's passport expires, so check passport validity before applying.

03 · The employer is at the centre of the application

For an employee who will work for an employer, the application is made and approved by the employer, through the Ministry's electronic system.

Application from abroad (e.g. from China)

The employee applies for a work visa at the Turkish embassy or consulate. The employer must then upload the documents and approve the application in the system **within 30 days** of the visa application, using the consulate's reference number.

Application from inside Türkiye

The employer uploads the documents and approves the application in the system. As a rule, the employee must hold a residence permit valid for **at least 6 more months** (the Ministry may allow exceptions for certain groups).

- The Turkish employer needs an electronic notification address (e-tebligat) before applying.
- The Ministry aims to decide within 30 days of a complete application. Missing documents must be provided within 30 days of the Ministry's request, or the application is refused.
- Roles requiring professional qualification in health and education services need prior approval from the relevant authority. R&D staff in R&D or design centres and technology development zones need a positive opinion from the Ministry of Industry and Technology.
- Foreigners working in free zones follow a separate procedure under the free zone rules.

What the Ministry checks

Employer Evaluation Criteria (published criteria as of October 2026)

The Ministry assesses applications against published evaluation criteria, which are updated periodically. The employment and financial criteria apply to employers that keep balance-sheet accounts (*bilanço esasına tabi işyerleri*), which includes companies established under the Turkish Commercial Code.

General criteria

Employment	At least 5 Turkish citizens employed at the workplace for each foreign employee. Workplaces with net sales of at least TL 50 million in the last year are exempt for up to 5 foreigners.
Financial	New company (founded this year, no year-end balance sheet yet): paid-in capital of at least TL 500,000. Operating company: paid-in capital of at least TL 500,000, <i>or</i> net sales of at least TL 8 million, <i>or</i> exports of at least USD 150,000.
Salary × gross minimum wage	Senior executives and pilots: at least 5 · Engineers and architects: 4 · Other managers: 3 · Jobs requiring expertise or skill: 2 · Other jobs: at least the minimum wage

A newly established Turkish company with only a few Turkish employees can usually employ very few foreigners. For example, a company with 5 Turkish employees can, as a rule, employ one foreigner under the general criteria.

Exemption in force from 3 August 2026

For foreigners who have lived legally in Türkiye for at least one year in the last three years (with a work permit, residence permit or international protection status), **domestic applications** for up to **3 such foreigners per workplace** are not subject to the employment and financial criteria. Foreign employees may not outnumber Turkish employees at the workplace, and from the fourth such foreigner the general criteria apply again.

Sector rules relevant to Chinese companies

IT specialists

Software development, databases, mobile software, systems, network and security, enterprise architecture: no employment or financial criteria at IT-sector employers; outside the IT sector, for up to 2 such foreigners.

Manufacturing

The employment criterion is calculated on the company's Turkish employees across Türkiye. In addition, until 31 December 2027, one extra foreigner for every five Turkish employees at the production site (branch) can be assessed outside the general employment criterion (in force from 3 August 2026).

R&D and technology zones

R&D centres, design centres and technology development zones: no employment or financial criteria, subject to a positive opinion from the Ministry of Industry and Technology.

Public projects

Public procurement contracts and all their subcontractors, and projects under international agreements: no employment or financial criteria.

The Ministry may also waive the general criteria partly or fully for qualified investments, high-technology work or where no Turkish specialist with the same skills is available. If a permit was issued under a sector-based exemption, an application from inside Türkiye to work for a different employer outside that sector within the first six months is, save force majeure, assessed negatively.

Shareholders and exempt foreigners

Foreign Partners & Foreigners Exempt from the Criteria

Foreign shareholders working in their own Turkish company

A Chinese investor who opens a company in Türkiye, or becomes a partner in one, and wants a work permit to work there must meet separate criteria:

Company capital

The company's paid-in capital must be at least TL 500,000.

Partner's share

The foreign partner's own capital must be at least TL 500,000, with an ownership share of at least 20%.

Turkish employees

At least 5 Turkish citizens. The first permit is issued with an annotation (*şerh*); from the start of its 7th month, at least 5 must be employed every month.

Foreign partners with a capital share of USD 100,000 or more are not subject to these capital, ownership and employment conditions.

Foreigners exempt from the evaluation criteria

The employment, financial and salary criteria do not apply to certain foreigners, including:

- holders of a long-term residence permit;
- foreigners who have lived in Türkiye for at least 8 years with a work permit or a short-term, family, student, long-term, humanitarian or victim-of-trafficking residence permit (in force from 3 August 2026);
- foreigners who have lived in marriage with a Turkish citizen for at least 3 years;
- foreigners whose mother, father or child is a Turkish citizen;
- other listed categories, for example humanitarian residence permit holders, stateless persons, foreigners of Turkish descent and citizens of the Turkish Republic of Northern Cyprus.

The status must be proven with official documents, and falling within these categories does not create an absolute right to a permit.

Exemption from the Ministry's evaluation criteria does not mean exemption from the work permit. These foreigners still need a work permit; only the employer criteria are not applied. Exemptions from the work permit itself are a different concept (see section 01).

Extensions of older permits: when a permit issued before the current criteria came into force is extended, the financial criterion that applied on the date of the first application is used.

04 · Does the Employer of Record model work in Türkiye?

EOR & Employment Structures

In an Employer of Record model, a service provider formally employs staff who in practice work for a client company. Turkish law makes this difficult for foreign employees, for three reasons.

1 · One employer, one workplace

A work permit is issued for a specific job at a specific workplace of the employer (or its workplaces in the same line of business). It does not allow the employee to be placed with other companies.

2 · Placing staff is restricted

Temporary employment is allowed only through a private employment agency licensed by İŞKUR in the cases listed in Article 7 of the Labour Law, for limited periods (generally up to 4 months, renewable twice, 8 months in total in most cases); or within the same group of companies, with written consent, up to 6 months, renewable twice.

3 · Sham structures

Applications based on false or misleading information are refused, and a structure designed only to meet the evaluation criteria (*muvazaa*) can put the permit at serious risk.

For foreign employees, the employer in the work permit should be the company for which the employee actually works. Each planned structure should be assessed individually before employees are hired.

With or without a Turkish entity

Chinese company WITH a Turkish subsidiary	Chinese company WITHOUT a Turkish entity
■ The subsidiary can apply for work permits as employer. ■ It must meet the employment, financial and salary criteria, unless an exemption applies. ■ It can receive managers and specialists from the Chinese parent by intra-company transfer. ■ Payroll, social security and notifications are handled in Türkiye.	■ No Turkish employer to sponsor ordinary work permits. ■ Staff can be sent for short-term exempt activities (generally up to 3 months). ■ For contract services to a Turkish client beyond 3 months, a cross-border service provider permit of up to 3 years is possible. ■ Foreign staff cannot lawfully be placed long-term in a Turkish client's workforce.

Lawful structures to consider

Own Turkish company

The most flexible option. A company established under the Turkish Commercial Code can apply for work permits as employer, if it meets the criteria in section 03. Foreign investors can establish or invest in the company types provided for in the Turkish Commercial Code.

Intra-company transfer

A company abroad can assign an employee from its foreign workplace to its company established in Türkiye, as a manager or specialist, for up to 2 years, extendable once by up to 1 year. Trainees: up to 1 year.

Cross-border service provider permit

For an employee of the Chinese company who provides contractual services directly to a Turkish client for longer than 3 months: a permit for the contract term, up to 3 years, not extendable. **This route covers the company's own contractual services; it is not a way to supply employees to another company's workforce.**

Short-term exemptions

For installation, maintenance, training or contract services of up to 3 months (see section 01).

Branch

A foreign company can register a branch in Türkiye through the trade registry. Its suitability as an employer should be assessed case by case.

Liaison office — not for commercial work

A liaison office may not carry out any commercial activity. Its activities are limited (e.g. representation, supplier quality control, technical support to distributors, market research, regional management). **It cannot be used as an employer that provides staff or services to clients.**

05 · After approval: start, obligations, extensions

Starting work

- Application from inside Türkiye: start work within 1 month of the permit's start date.
- Application from abroad: start work within 1 month of entering Türkiye, and in any case within 6 months of the permit's start date.

Missing these deadlines puts the permit at risk of cancellation.

Extensions

- File from 60 days before expiry, and in any case before expiry. Late applications are refused.
- While a timely extension is pending, the employee may keep working for up to 90 days after expiry, in the same job and workplace.
- A new employer requires a new first application.

Ongoing obligations of the employer

- Register the employee with the Social Security Institution (SGK) and pay contributions on at least the salary declared in the application.
- Do not reduce the salary below the declared amount, or change the declared working arrangement, after the permit is issued. This can lead to cancellation.
- Notify the start and end of employment, and any situation requiring cancellation, within 15 days. In practice, SGK start and exit notifications are generally relied on for this.
- A move to another branch of the same employer, or to a different role, requires an application to the Ministry.

06 · Family members

Family Residence

The spouse and minor or dependent children of a work permit holder can apply for a family residence permit, granted for up to 3 years at a time and never longer than the holder's own permit.

The work permit holder must, among other things, have a monthly income of at least one third of the minimum wage per family member (and in total at least the minimum wage), adequate housing, health insurance for all family members, and registration in the address system. Work permit holders are generally not required to have first held a residence permit for one year.

A family residence permit does not give the right to work. A family member who wants to work needs a work permit of his or her own. Turquoise Card holders' spouses and dependent children receive a document that replaces the residence permit.

07 · Refusal, cancellation and the risks of working without a permit

Common reasons for refusal

- The employer does not meet the evaluation criteria.
- The reason for employing a foreigner is insufficient, or the employee lacks the required qualifications.
- The job is reserved for Turkish citizens by law.
- False or misleading information or documents.
- Missing documents not provided in time, or a late extension.

Challenging a decision

An objection can be filed with the Ministry within 30 days of notification of a refusal or cancellation. If it is rejected, the decision can be challenged in the administrative court.

Cancellation during the permit

For example, if the employment ends, the employee stays outside Türkiye for more than 6 months without interruption, social security obligations are not met, or the salary is reduced below the declared amount.

Working without a permit

Administrative fines for the employer, for each foreigner employed without a permit, and for the foreign employee; higher for repeat violations.

A foreigner found working without a permit is reported to the migration authorities and faces deportation proceedings.

The employer must cover the foreigner's (and any family members') accommodation, return travel and, if necessary, medical costs.

08 · Checklist before hiring foreign staff

Pre-Hiring Checklist

- ☐ Which Turkish entity will be the legal employer, and is the employee actually working for it?
- ☐ Does the employer meet the employment, financial and salary criteria — or does an exemption apply?
- ☐ If the employee is a shareholder: are the foreign-partner criteria met?
- ☐ Is the assignment short enough for a work permit exemption, or is a full permit needed?
- ☐ Would an intra-company transfer from the Chinese parent company be more suitable?
- ☐ Does the job require prior approval (health, education, R&D)?
- ☐ Is the employee's passport valid long enough?
- ☐ Will the application be made from China (consulate route) or from inside Türkiye?
- ☐ Are payroll, social security registration and notification deadlines planned?
- ☐ Are family members coming, and do they meet the family residence conditions?

How TERCAN LEGAL can help

Tercan Legal advises Chinese companies and international employers on:

- choosing a lawful employment structure in Türkiye
- company and branch formation, and corporate compliance
- work permit and exemption applications and extensions
- objections to refusals and cancellations
- residence permits for employees' family members
- coordination with banks, payroll and accounting providers

Decide the structure first, then hire. If you plan to send employees to Türkiye or hire foreign staff here, we recommend confirming the employer structure and the applicable criteria before the employee travels or signs a contract. Every application is decided by the Ministry; a careful structure and complete file give it the best footing.

Contact TERCAN LEGAL

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