

Termination ban and unilateral unpaid leave extended once again

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Introduction

The termination ban and unilateral unpaid leave came into force by way of the Law on Minimising the Impacts of the New Coronavirus (COVID-19) Outbreak on Economic and Social Life and the Amendment of Certain Laws (7244) (the Amendment Law), which was published in the *Official Gazette* (31102) on 17 April 2020 (for further details please see "[Prohibition on termination and unilateral unpaid leave enters into force](#)").

Under the Amendment Law, employers were prohibited from terminating any employment contract – regardless of whether it fell within the scope of the Labour Act – for three months as of the effective date of the law. The only exception was the termination of employment based on just cause due to cases which were incompatible with moral, good will and similar circumstances. Under this initial version of the law, the president was granted the power to extend this three-month term to six months.

Previous extensions

Law 7252 on the Establishment of Digital Platforms Commission and Amendment of Certain Laws, which was published in the *Official Gazette* (31199) on 28 July 2020, expanded the scope of exceptions to the termination prohibition to include:

- the expiry of fixed-term employment or service agreements;
- the closure of the workplace for any reason and termination of the employer's activities, and
- the termination of work-in-service procurements and construction works conducted in accordance with the relevant legislation.

Further, the president's authority to extend the termination ban and unilateral unpaid leave was extended until 30 June 2021, provided that each extension was for a maximum of three months (for further details please see "[Termination prohibition, unilateral unpaid leave and short-time working allowance extended again](#)").

Since then, the termination ban and unilateral unpaid leave have been extended several times as follows:

- from 17 July 2020 to 17 August 2020 as per the presidential decree (2707) published in the *Official Gazette* (31171) on 30 June 2020;
- from 17 August 2020 to 17 September 2020 as per the presidential decree (2811) published in the *Official Gazette* (31202) on 31 July 2020;
- from 17 September 2020 to 17 November 2020 as per the presidential decree (2930) published in the *Official Gazette* (31234) on 4 September 2020;
- from 17 November 2020 to 17 January 2021 as per the presidential decree (3135) published in the *Official Gazette* (31287) on 27 October 2020;
- from 17 January 2021 to 17 March 2021 as per the presidential decree (3344) published in the *Official Gazette* (31350) on 30 December 2020; and
- from 17 March 2021 to 17 May 2021 as per the presidential decree (3592) published in the *Official Gazette* (31418) on 9 March 2021.

Latest extension

Now, with the presidential decree (3930) published in the *Official Gazette* (31470) on 30 April 2021, the termination ban and unilateral unpaid leave have been extended once more until 30 June 2021.

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As per Temporary Article 10 of the Labour Act, the president can extend the termination ban until 30 June 2021, for a maximum of three months per extension. Therefore, unless an amendment to said article is introduced, the termination ban and unilateral unpaid leave will expire on 30 June 2021.

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