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Proposal for amendments in the Law on Trade Unions: The main problem arises from the Act on Collective Bargaining and Strike

Although the amendments in this proposal in general are the most appreciated ones which take the demands of trade unions' movement into account much more than the previous drafts, without making substantial changes in the Act N.2822 on Collective Bargaining, Strike and Lock Out, these improvements will remain nonsense.

As it is known well, the Act N.2821 has diminished the manoeuvre capacity of trade unions by transferring the most basic rights and freedoms of unions to the legislations. By that way, the committees and organs of trade unions have lost their efficiencies and unions have been taken under the control of external mechanisms rather than their own dynamics. Fortunately, some of these anti-democratic and restrictive provisions are not given place in the draft. However some others are still kept their validity.

New draft enlarges, on one hand, the capabilities of unions to make their own regulations by themselves if it is compared to the current form of Act N.2821. However ironically it gives competence, at the same time, to the official authorities concerned to take decision on whether amendments in constitutions of the unions are in conformity with the law on the other hand.



Birlesik Metal-Is

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Beside such contradictions that draft bill contain, there are also provisions which aim to make Unions a financial source for the State that it may act as a financial partner who shares only incomes but not expenditures According to the Draft, unions and confederations can set up foundations up to 25 per cent of their total income in order to meet educational, health or sportive needs of their members but they conditionally have to transfer these foundations to the State . Another resembling example is on the auditing services in trade unions. New Draft aims to open a way for external auditing firms who will be entitled to control accounts of the unions. To fix the branch of activities of unions by the law or to ban setting up unions out of those who were established in the frame of branch of activity unionism are also in the same manner. Therefore by this draft nor liberty and neither autonomy for unions is intended.

On the other hand, the most affirmative provisions in the Draft are elimination of public notary condition during first registration processes of workers in the unions However public notary condition for workers who want to leave from unions still exists and the opportunity provided to the members to object the election of delegates.

Beyond all these deficiencies, the main handicap which prevents organizing of unions in both previous and new draft is embodied in the Act on Collective Bargaining, Strike and Lock Out, namely Act N.2822 itself. Anti-union nature of authorisation processes and the restrictions on right to strike which paralyse unions must entirely be amended. Thresholds of 10 per cent for branch of activity and 50 per cent for workplace in previous law will be embodied in new Draft too on the levels of workplace and branch of activity must be eliminated; authorisation system which has continuously repeated itself must be ended; the cases of authorisation disputes must be subjected to the votes of workers and unions must be entitled to take decision to go to strikes whenever they need. For all these changes, new Draft must be designed in a way which allows different levels of organizing (national, regional, sectoral and according to the branch of activity). Therefore, it is a must to handle two Acts on organizing and collective bargaining and strike (Act N.2821 and 2822 respectively) together. The ones who claim that elimination of thresholds might lead splitting of unions or facilitate the emerging of yellow unions are those who want to keep unions under the control of State and capital class.

Labour Power is getting cheaper...

The National Commission for fixing minimum wage has concluded its meeting and declared its final decision: The minimum wage which will be valid since from January 1, 2006 is 531 YTL gross and 380,46 YTL net. Total yearly increase in minimum wage amounted to 8.65 per cent. The members of the Commission were happy as they completed their task and agreed with AKP Government on the rate of wage increase. Workers who have to work in order to survive, on the other hand, have got started to calculate how they can survive with such a poor wage.

The AKP Government takes steps for tax reliefs for companies while it is supporting wage increases at minimal level for working people. Result is that the AKP Government has much more deteriorated income distribution by condemning workers to poverty and starvation on one hand and preparing recepies in order to make riches richer on the other.

Such a depression in minimum wage levels is one of the results of economic policies applied by AKP Government. The main aim behind these policies is to make the price of labour power cheaper and this is not an astonishing for a Prime Minister who has openly announced that he spends effort for marketing of our country in international fora.

The sectoral collective bargaining rounds in many of branch of activities will be held in 2006. This minimum wage declared by the Commission may increase the pressures over wage demands of trade unions during collective negotiations.

Turkish workers have been tired from this game in which Turk-Is Confederation who takes part as figurant in the Commission as the biggest representative of workers. Workers do not want to listen naive excuses such as "We are also so sorry to make this declaration on minimum wages but unfortunately this is only what we can do under these condition" any more.

How do young workers define themselves

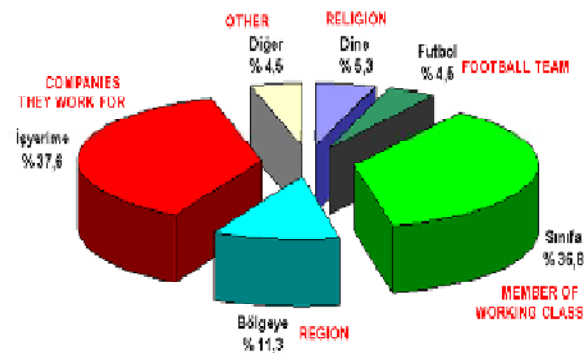
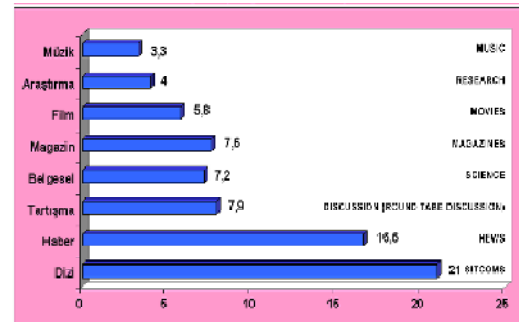
Our Union made an inquiry with young members in 2005. The main subject of this inquiry which's evaluation has recently been concluded is the young members of Birlesik Metal-Is Union and demographic, economic, social and political aspects of them. Following pre assessments made on the results it was decided to include 150 of them into the analyses. Inquiry covers our members in 26 factories.

Is apparent from the results that member profile of our Union is being enlarged and young members represent the majority in the factories where have recently been organized by our Union. Inquiry also seeks answers for the questions such as:

- How and according to which criteria the material living conditions and cultural characteristics of the respondents are changing?
- Do young workers who completed socialisation process in the big cities represent second generation of the workers?
- What are information channels, devotion and patriarchy levels among young workers?
- How do they define subjective identities they have?
- How do they react against privatization and/or deregulation in social security system?
- How do they approach to their Union?
- What are the reflections of their political stands and voting?
- How do they establish links between class interests and political preferences of them?
- How do ethnic and religious polarizing which have been rooted in our society for long years affect young workers ?
- How should the grades that young workers give to the basic State institutions be interpreted?

Some of the results are as follows:

The most favored culturel activity (21%) among young workers is to watch domestic sitcoms. This is followed by the news programmes (7,9%), actual programmes (7,6%), documentary films (7,2%). The less favored TV programmes are the movies (5,8%), the news based on researches (4%) and musical programmes (3,3%).



Regarding the relations between classes, despite the class statutes that they belong to, the corporate culture among young workers is quite widen. It may be suggested that flexibility and new management techniques are highly effective on corporate culture. 37,6 per cent of respondents define themselves primerey according to the companies they work for, while 36,8 per cent of them are defining themselves as members of working class.

Training Seminar jointly organized with IGMetall



The second stage of 2005 seminars which have jointly been organized by Birlesikmetal-Is and IG Metall since 1998 was held in Gebze on 12-19 November 2005 under the auspices of our Union. At this stage of joint trainings there were 12 trainees and 3 trainers from IG Metal and 6 trainees and 2 trainers from our Union. Beside presentations made by trainers the guest lecturer Asistant Professor Ozgur Muftuoglu also made a presentation titled "An Evaluation of 3rd October 2006 3rd October 2006 is the date that Turkey gained a statute in EU as "official candidate"

from Labour Perspective". The content of the programme was as follows:

- The History of Democracy in Germany and Turkey
- Brief Histories, structures and functioning of both unions
- Collective Bargaining in Germany and Turkey
- Workplace Trade Union Representation in the countries concerned
- International Relations with its increased importance



In the frame of programme AREVA workplace where our union has 750 members was visited on 17th November. Thanks to the coordinated efforts spent by trade union representatives in AREVA to arrange this part of programme, all guests left from the factory with very good impressions. In the eve of 17th November our union organized a "farewell diner" with the participation of our executives as well. We will have two more seminars with brother union IG Metall in 2006 too. These seminars that Celik Is Union will also take part will be organized in Germany.

Another international training seminar jointly organized with Metallicy/Bulgaria

The importance given by our union to international relations reflects to joint training seminars which are jointly organized by brother unions abroad.

To learn about conditions that workers in other countries live in, makes it easy to grasp that problems and solutions of working people are common. Relations with Metallicy/Bulgaria were also born from this idea. The Finance Secretary Suleyman Turker and



Education Secretary Celalettin Aykanat visited Metallicy to plan joint seminars. During this visit, they found opportunities to visit some metal factories and to talk with workers. The executives of two union decided to organize two seminars per year. The first stage of two seminars in 2006 will be organized in Sofia.

Action in Areva

Employer of AREVA unilaterally declared that the obligatory two day closure of the workplace on 24-25 January 2006 due to strong snowing on these days would be compensated by extra work later on. When workforce rejected this declaration employer unilaterally put his decision into force and workforce stopped overtime works as a reaction. Since company removed transport services as a response to workers, transport of AREVA workers was provided by our union . On 17th February employer changed mind and service busses started to work again. Soon after the declaration made by AREVA management that the employer renounced from compensation work, tension decreased and work order turned to its routine.



One more step towards victory in Grammar

Birleşik Metal İş Union left another difficult turning point behind in its struggle in Grammar started two years ago. Despite the number of Grammar workers organized by Birleşik Metal-İş was higher than required percentages, the guided union Turk Metal also applied to the Ministry at a later date and got the approval from Ministry of Labour. Our Union objected this approval by opening a case in the Court of Appeal against Ministerial decision in favor of Turk Metal. The Court investigated both cases and decided that authorised union must be Birleşik Metal İş and transferred our case to the local court. Local court also approved this decision in the trial on 24th February 2006, it found our union rightful but unfortunately legal process still continues by the new case opened by Turk Metal in the



Court of Appeal. The costs of these objections made by Turk Metal have once more been paid by Grammar workers who faced with another waiting periods till the end of legal process in order to benefit from collective bargaining. Selçuk Göktaş, General Secretary of our Union stated that these legal victories are the results of labor which have been spending by officials, lawyers, staffs and activists of our union but more importantly these are the products of hundreds of Grammar workers who have believed our union and committed to struggle for their basic rights.

Reform in Turkish Social Security System

Our Union organized a symposium on 28th January 2006 together with its quarterly research magazine on the reform in Turkish social security system. In the meeting, ongoing reform process was discussed for different aspects including its coverage, problems and comparisons with other systems abroad by a number of guest speakers. Peter Scherrer, General Secretary of European Metalworkers' Federation also addressed in the meeting and referred some similar backwards in EU countries. Scherrer also explained a general tendency in European trade unions based on pushing up a strategy aims contribution from drug monopolies to the finance of public health system.



We were on the streets for the 39th anniversary of DISK



We were on the streets on 19th February 2006 in order to celebrate 39th anniversary of the foundation of our confederation DISK. Our main slogan was “No for more poverty and injustices”. Streets were like a poppy garden full with DISK members with their red forms and caps. DİSK members full with enthusiasm made their voices heard by following slogans: “Purposely Union, Purposely DISK”, “DISK is what union looks like”, “We won’t be retired in graves”, “Free education, Free Health”. Our union was like a motor of the meeting with its members full with enthusiasm and emotion.

Action at the gate of ILO/Ankara Representation

Our Union together with Confederation DISK organized an action at the gate of ILO/Ankara Representation in order to protest anti-democratic and anti-union legislation in Turkey and also to condemn the decision of ILO Application Committee who did not include Turkey in its agenda for the ongoing ILO Conference despite the fact of severe violations of trade union rights reported.

During action four trade union officers including our executive committee members were symbolically enchained themselves to the gate of ILO Office for few hours. At the end of action a small group composed by the leaders of DISK and affiliated organizations was accepted inside the building and they were promised that their message would be conveyed to the conference through Gulay Aslantepe who is representative of ILO/Ankara in the conference. Group talked to ILO officers underlined once more that more than a thousand workers were dismissed only in last two months due to trade union reasons.



Workshop on the violations of trade union rights

Birlesik Metal-Is Union organized an international workshop on the violations of trade unions rights in Turkey and its connections with Turkish legislation with the financial support provided by Friedrich Ebert Stiftung / Istanbul on 24th May 2006.



appreciated thing in the meeting was the format of the event that it was a first in our country . Indeed, it was a first in our country that the workers, the main collocutors of violations from different workplaces where violations mostly happened had also chances to take the floor and express what they face when they deal with trade union activities. The IMF, EMF, IG-METALL, FIOM and CCMB were international organizations among those who were represented in the meeting.

Some of the demands raised by president Adnan Serdaroglu in his opening speech were as follows:

- All waged laborers and people who have to work in order to survive must have the right to establish a trade union and being member of trade unions freely.
- The public notary condition on the membership and resignation should be removed. The thresholds on country (10%) and work place (50%) levels should be removed and trade unions should be able to act for their members.
- Regarding collective agreements on plant level the principle of proportional representation of the unions should apply; competent unions should be determined by referendum in the case of objection. If objection is not the case, concerned union should gain competency according to notification made by workers.
- Any kind of regulations which prevent the right of strike and link it to the process of collective bargaining must be removed and strike should be accepted as a right that all workers can enjoy.

We lost our founder President Yusuf Sidal



Yusuf Sidal, founder President of our Union passed away on 3rd January 2006. Beside many committed comrades of him, our President Adnan Serdaroglu and General Secretary Selcuk Goktas also attended in funeral ceremony in Istanbul. Yusuf Sidal who is known as one of the first few trade unionists in our country was born in Agri in 1904. As of 1922 he started to work in a turner workshop and founded Istanbul Iron and Metal Workers' Union in 1947 which was re-named as Turkish Mine Workers' Union later on. He was also one of the founders of Association of Istanbul Workers' Unions. In September 1954 due to some health problems he transferred the task of presidency to Kemal Turkler. Between 1953 and 1957 he worked as executive committee member in Turk-Is that he actively took part especially during the beginning process of establishment of Turk-Is. Yusuf Sidal who always kept his credit in the eye of workers also shared his deep experiences