



INNOVATIVE ENTREPRENEURSHIP



Taking On Your First Employee



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Taking on your first employee

The factsheet looks at the key aspects involved in taking on an employee for the first time. Employment legislation is a complicated area and this factsheet is intended only as a starting point. Employers should always seek professional advice where necessary.

For many small businesses taking on their first employee is a scary and daunting experience. There are several key considerations that need to be considered before a new employee commences employment. Some of these are listed below.

Registering as an employer

New employers must register with Tax Office (<http://www.vergi.gov.ct.tr/>) in advance of their employee's first payday so that they can pay tax on the employee's behalf. In essence this will mean that they need to establish a payroll system to take care of salary payments and report required information to the Tax Office. Many employers choose to outsource this to their Accountant to do it for them.

Inducting the new employee

An effective induction should welcome the new employee to the workplace and give them the information they need to do their job safely and effectively. This should include informing them of company policies and making them aware of the company culture and values.

Provide health and safety training

Employers have a legal duty to provide employees with adequate health and safety training. This should include information about any health and safety risks associated with their role, which the employer should already have identified by carrying out a workplace risk assessment. Employees must also be informed about workplace procedures for minimising the risks, including emergency procedures in the event of fire or other serious dangers.

Written statement of employment particulars

Employees who have been hired to work should receive a written statement of employment particulars. It is good practice for the employer to provide this as soon as the employee starts work. It is a legally binding document that must include specific information about the employee's terms and conditions of employment. For more information visit <https://calisma.gov.ct.tr/>





Employers Insurance

Before any new employee starts the business should ensure they have an appropriate Employers' liability insurance in place when the new employee begins work. All employees should be, as a minimum insured by governments social security department. This is compulsory. For more information visit <https://ssd.gov.ct.tr/>.

There are various employment laws that ensure employers must not discriminate against employees or job applicants on any of the following grounds:

- Gender.
- Race (colour, nationality, ethnic or national origin).
- Age.
- Being married or in a civil partnership.
- Being pregnant or having a child.
- Disability.
- Religion or lack of religion.
- Transsexuality.
- Sexual orientation.

Data protection regulations

Employees and job applicants provide employers with a range of personal data, such as their names, addresses, age, qualifications, employment history and health conditions. When collecting, storing or using personal data, employers must comply with data protection regulations.

In particular, employers must:

- Provide employees and job applicants with clear information about what personal data they collect from them and what their purpose for collecting it is.
 - Ensure that their collection and use of personal data is limited to what is necessary for the stated purpose.
 - Keep personal data accurate and up to date, and ensure that they do not keep it for longer than necessary.
 - Allow employees and job applicants to view the personal data that is held about them on request, and to correct it or have it erased in certain circumstances.
 - Ensure that personal data is stored securely.
- Statutory employment rights





Employers must also:

- Pay at least the National Minimum Wage
- Only make deductions from wages where there is a legal requirement or a contractual right or other written agreement to do so.
- Provide the statutory minimum level of paid holiday.
- Provide the statutory minimum length of rest breaks.
- Not require an employee to work more than 40 hours on average per week unless they choose to opt out of this right.
- Not penalise an employee for ‘whistleblowing’ - reporting wrongdoing in the workplace.
- Not treat an employee less favourably if they work part-time.
- Provide statutory sick pay.
- Provide maternity, paternity and adoption leave and pay.
- Respect minimum notice periods - usually one week per year of service up to a maximum of 12 weeks.
- Not dismiss an employee without good reason or without following proper disciplinary procedures.
- Allow time off for emergencies.
- Consider employee requests for flexible working fairly and not penalise an employee for making such a request.
- Provide statutory redundancy pay.

Most of these rights are effective from the first day that an employee starts work. Others, such as flexible working requests and redundancy pay, only apply after a specific length of continuous employment.

