

Republic of Türkiye
ISTANBUL AYDIN UNIVERSITY
LEAVE DIRECTIVE

CHAPTER ONE
Purpose, Scope, Legal Basis and Definitions

PURPOSE

ARTICLE 1 –

The purpose of this Directive is to determine the procedures and principles of leave processes of the academic and administrative personnel working within Istanbul Aydın University.

SCOPE

ARTICLE 2 –

This Directive covers the procedures and principles of leave processes of the academic and administrative personnel working within Istanbul Aydın University.

LEGAL BASIS

ARTICLE 3 –

This Directive has been prepared based on the Higher Education Law No. 2547 published in the Official Gazette dated 06.11.1981 and numbered 17506; the Labor Law No. 4857 published in the Official Gazette dated 10.06.2003 and numbered 25134; and the Regulation on Annual Paid Leave published in the Official Gazette dated 03.03.2004 and numbered 25391.

DEFINITIONS

ARTICLE 4 –

In this Directive;

- a) University: Istanbul Aydın University,
- b) Rector: the Rector of Istanbul Aydın University,
- c) Chair of the Board of Trustees: the Chair of the Board of Trustees of Istanbul Aydın University,
- ç) Secretary General: the Secretary General of Istanbul Aydın University,

- d) Dean: Deans of Faculties within Istanbul Aydın University,
- e) Head of Department: managers working in administrative units affiliated with Istanbul Aydın University,
- f) Director: directors of schools/institutes/application and research centers and administrative units within Istanbul Aydın University,
- g) Unit Manager: deans, institute/school/center directors/secretary general/director/managers and other unit supervisors and managers working in all academic and administrative units affiliated with Istanbul Aydın University,
- ğ) Academic Personnel: all teaching staff working at Istanbul Aydın University,
- h) Administrative Personnel: all administrative personnel working at Istanbul Aydın University,
- ı) EBYS: Istanbul Aydın University Electronic Document Management System,
- i) Senate: Istanbul Aydın University Senate,
- j) Leave: the leaves specified in Labor Law No. 4857 and other leaves specified in this Directive for Academic and Administrative Personnel,
- k) Directorate of Human Resources: Istanbul Aydın University Directorate of Human Resources,
- l) Department of Personnel Affairs: Istanbul Aydın University Department of Personnel Affairs.

CHAPTER TWO

LEAVES AND PROCEDURES AND PRINCIPLES TO BE APPLIED

ARTICLE 5 – Entitlement to annual paid leave and leave-use period

Annual paid leaves to be granted to the University’s academic and administrative personnel are earned and granted in line with the principles below.

Academic and administrative personnel become entitled to annual leave when they complete one (1) full year of actual service starting from the date of employment.

- a) Personnel whose length of service is less than one (1) year but more than six (6) months may use advance leave up to half of the annual leave they will earn, to be offset against their first annual paid leave, provided that the unit manager gives a favorable opinion. If personnel who used advance leave leave employment before earning their annual paid leave, the cost of the leave used is offset against their receivables.
- b) Annual paid leave entitlement and leave durations are determined within the framework of Article 53 of Labor Law No. 4857. Accordingly, the leave durations that personnel may use according to their length of service are:
 - (i) 14 business days for those with 1 to 5 years of service,

- (ii) 20 business days for those with more than 5 and less than 15 years of service,
- (iii) 26 business days for those with more than 15 years of service.

For employees over the age of fifty and under the age of eighteen: 20 business days for those with 1 to 14 years of service; and 26 business days for those with 15 years and more.

c) If the annual leave planning is less than 3 days, the personnel must prepare the “Annual Leave Form” in the University system and—after obtaining approval of the relevant manager—send it via the IAUHR (Istanbul Aydın University Human Resources) system to the Directorate of Human Resources Organizational Development Unit / Department of Personnel Affairs at least 3 days before going on leave; if 3 days or more, at least 15 days in advance. Leave requests not complying with this period are not considered and are not granted.

ç) Creating annual leave calendars via EBYS, making leave requests via the IAUHR system and following the leave approval process are the responsibility of the academic/administrative unit manager to which the personnel is affiliated.

d) The annual leave earned for each service year is used within the following service year, as specified in Articles 53 and subsequent articles of Labor Law No. 4857. Annual paid leaves that could not be used due to mandatory reasons are paid to the personnel as wages after their relationship with the institution is terminated.

e) Personnel whose annual leave entitlement is 14 days may use it in one (1) time or at most two (2) times; personnel whose annual leave entitlement is 20 days may use it in two (2) times or at most three (3) times. Provided that justification is given, annual leaves may be used at most three (3) times.

f) Personnel whose weekly working time is up to 3 days use their annual leave in a single period; personnel working 4 days a week may use it at most in two periods. For personnel whose weekly working time is less than 5 days, non-working days are also included in the leave period.

g) In the calculation of annual paid leave days, national holidays, weekly rest and public holidays that coincide with the leave period are not counted from the leave period.

ğ) Annual leaves are calculated based on business days. In leaves that include weekends between start and end dates, Saturday is counted as an annual leave day. Saturdays are counted as business days in leave-day calculation.

During annual leave, if the personnel becomes ill and submits (or delivers to the relevant unit manager) a sickness report accepted by SSI (SGK) in a timely manner, the days of illness are not counted from annual leave.

h) It is considered appropriate for academic personnel to use annual leaves not during the education–training period but during the summer period and semester break specified in the academic calendar, and outside ÖSYM’s preference-promotion periods. For annual paid leave outside these periods, the “Annual Leave Form” is prepared and, after the relevant manager’s approval, delivered via the IAUHR system and EBYS to the Directorate of Human Resources

Organizational Development Unit / Department of Personnel Affairs. Following the approval of the leave request is the responsibility of the requesting personnel.

i) Relevant unit managers prepare the annual leave plan of their units in accordance with the leave-use calendar determined and published each year by the Rectorate, and send it to the Rectorate via the IAUHR system by the end of May.

i) Leaves may be used—taking into account institutional principles and work requirements—at the times deemed appropriate by the unit manager and in accordance with shift arrangements, provided that work is not disrupted, with the approval of the unit managers and the Secretary General and Rectorate. If only two persons work in the same unit, it is not possible for both to be on leave at the same time.

j) Payment in lieu of leave is not applicable. Paid work in any job during leave is not allowed. Leave may be used only after the approval of the hierarchical supervisors is completed.

k) Leave requests are evaluated by the Directorate of Human Resources Organizational Development Unit and the Department of Personnel Affairs depending on whether the annual leave entitlement exists. If it is determined that there is no annual leave entitlement and no advance leave entitlement, the leave request is not approved and the relevant personnel is informed via the system.

l) In order to ensure that annual leaves are used within the year to which they belong and/or to prevent accumulation of leave, academic personnel may be sent on annual leave with the Rector's approval, and administrative personnel with the Secretary General's approval.

m) In extraordinary cases and/or when deemed necessary by the Rectorate, ongoing leaves may be suspended to be granted later.

n) Unit supervisors authorized to grant leave determine who will act as deputy for the personnel who will go on leave before the personnel leave. Unless there is a special provision, it is essential that the acting duty is given—considering hierarchical levels—to the person who is closest in position and title.

o) For those who will spend annual paid leave in a place other than where the University is located, up to four (4) days of unpaid leave may be granted in total for travel time, provided that they request it and document this matter.

ö) During the annual leave of academic personnel, pre-determined educational leave within the start and end dates of the annual leave is counted as a normal business day and is counted within annual leave.

p) Without exhausting annual leave entitlement, excuse leave cannot be used. Even if annual leave entitlement exists, leaves taken by academic and administrative personnel—other than the defined excuse leaves—are deducted from annual leave or are evaluated within unpaid leave.

ARTICLE 6 – Excuse leave

(1) Excuse leaves are used within the framework of Additional Article 2 of Labor Law No. 4857 and the provisions below, by adding the document showing the excuse to the form or by declaration.

a) 3 days in case the personnel gets married (within 6 months; the marriage certificate and/or municipal document showing the date of marriage and a copy of ID must be submitted).

b) 5 days in case the male personnel's spouse gives birth.

c) 3 days in case of death of the personnel's mother, father, spouse, child or sibling.

ç) Up to ten (10) days of paid leave in a year—used wholly or in parts—may be granted for the treatment of the personnel's child who has at least 70% disability or a chronic illness, based on a medical report, provided that it is used by only one of the working parents.

d) Hourly bereavement leave may be used for the death of a relative who is not a first-degree relative.

(2) Apart from the excuses listed above and in the relevant laws, provided that a compulsory need arises, excuse leave may be used—daily or hourly—up to a total of 3 days within the year by making a request in the IAUHR system. This leave cannot be requested collectively and cannot be evaluated as an accrued entitlement.

(3) Except for sudden cases such as birth and death, leave planning and requests must be submitted via the system 1 week in advance. In sudden cases, the leave form must be completed within the first working day after returning.

(4) For needs such as health or procedures at official institutions, etc., excuse leave requests may be used up to 8 hours within a month with the approval of the unit manager for academic personnel and the Secretary General for administrative personnel. These leaves cannot be used as one full day.

(5) Except for exceptional cases, before using administrative leave, approval of the unit supervisor is obtained and the leave form is completed in the system at least 3 business days in advance. Submission of documents within 2 business days after returning is mandatory. Leaves for which documents are not submitted are processed as unpaid leave. Responsibility belongs to the employee.

ARTICLE 7 – Sick leave

Sick leave is used in line with the principles below.

a) Personnel are deemed on leave during the period for which they are certified by a medical report. Personnel without a doctor's report stating that they are fit to work cannot work during the rest period.

b) Reports obtained from physicians authorized to issue prescriptions on behalf of SSI (SGK), public hospitals and private hospitals are valid. Health reports cover the period between start and end dates and are calculated based on calendar days, not business days.

c) Wages for report days of three (3) days or more are paid by the relevant Social Security Institution.

ç) In order for the personnel to receive temporary incapacity allowance from SSI as a result of obtaining a medical report, at least 90 days of insurance premium must have been paid within the last 1 year retrospectively as of the report date.

d) Academic/administrative personnel on sick leave submit the incapacity document—with the approval of the relevant unit supervisor—via the IAUHR system to the Directorate of Human Resources Organizational Development Unit and the Department of Personnel Affairs within at most 2 business days. If the health report is not submitted, leave documents are not considered valid.

e) If the personnel's absence based on a medical report exceeds the notice periods in Article 17 of Labor Law No. 4857 by 6 weeks according to their length of service at the University, the employment contract may be terminated pursuant to Article 25 of the Labor Law.

ARTICLE 8 – Job search leave

Personnel leaving the institution by using the notice period within the scope of Labor Law No. 4857 may use job search leave—up to 2 hours per day—or collectively before the date of separation. Personnel with a 4-week notice period have 6 business days; with a 6-week notice period have 9 business days; and with an 8-week notice period have 12 business days of collective job search leave entitlement.

ARTICLE 9 – Leave of pregnant employees, maternity and breastfeeding employees

(1) Leave of pregnant and breastfeeding employees is regulated pursuant to Article 74 of Labor Law No. 4857 as follows:

a) Units must submit doctor reports indicating pregnancy via the IAUHR system to the Directorate of Human Resources Organizational Development Unit / Department of Personnel Affairs within at most three business days. Pregnant employees are granted leave for periodic examinations provided that they document the examinations.

b) Female employees cannot be forced to work at night from the determination of pregnancy by a health report until birth. (Night means the period from 20:00 at the latest to 06:00 at the earliest.)

c) New mothers are prohibited from night work for one year following birth. After this period, they are not employed at night during the period determined by medical report as unfavorable in terms of health and safety.

ç) It is essential that pregnant personnel are not employed for a total of 16 weeks—8 weeks before birth and 8 weeks after birth. Personnel who have no objection to working as of the 32nd

week and will work until the 37th week submit a petition indicating that they will work until the 37th week and a health report stating “There is no objection to working as of the 32nd week.” via the relevant unit management through the IAUHR system to the Department of Personnel Affairs (for administrative personnel, to the Directorate of Human Resources Organizational Development Unit). If the employee has a report and request to work until the third week before birth and their health status is suitable, the period worked may be added to the postnatal period. In multiple pregnancies, 2 weeks are added to prenatal and postnatal leaves.

d) If the employee gives birth early while on prenatal leave within the 8-week period before birth, the prenatal leave is also transferred to the postnatal period.

e) Personnel who wish to start maternity leave at the 32nd week submit a petition and a report stating “Cannot work as of the 32nd week.” via the IAUHR system through their unit.

f) The University does not pay salary and does not pay insurance premiums to personnel on maternity leave. Two-thirds of the personnel’s daily gross wage is paid by SSI as maternity allowance, calculated over the total gross wage received in the last three months before birth.

g) Female personnel are granted breastfeeding leave to breastfeed their newborn until the child is one year old. Breastfeeding leave may be used as 1.5 hours each day in a schedule to be determined by the personnel and the unit supervisor. Personnel submit their request with a petition via EBYS for approval. Processes are followed by the Department of Personnel Affairs for academic personnel and by the Directorate of Human Resources Organizational Development Unit for administrative personnel.

ğ) Upon request, female personnel may be granted up to six months of unpaid leave following maternity leave within the framework of Article 74 of the Labor Law. To be able to use postnatal unpaid leave, the personnel must not have used any other leave after maternity leave ends. During unpaid leave, breastfeeding-leave provisions do not apply. After unpaid leave ends, daily breastfeeding leave of 1.5 hours is granted until the child turns one. No salary is paid and no insurance premiums are paid during unpaid leave.

h) Personnel submit their unpaid leave request before maternity leave ends via EBYS through their unit.

ı) Pursuant to Article 74 of Labor Law No. 4857, as of the end of the postnatal maternity leave, for the care and upbringing of the child—provided that the child is alive—female employees and female or male employees who adopt a child under three years of age may be granted unpaid part-time leave equal to half of the weekly working time upon request: 60 days for the first birth, 120 days for the second birth, and 180 days for subsequent births. In multiple births, 30 days are added to these periods. If the child is born disabled, this period is applied as 360 days. During this period, breastfeeding leave provisions do not apply.

ARTICLE 10 – Compensatory time off for overtime work

(1) Academic and Administrative Personnel may not work overtime without the approval of the Unit Manager, Secretary General and Rectorate. Personnel who work overtime with such

approval may use—upon application by the Unit Manager via the IAUHR system—one hour and thirty minutes of compensatory time off for each hour of overtime worked. Voluntary work without approval is not considered overtime. Compensatory time off is used within six months during working hours without any wage deduction.

(2) Leaves that academic personnel are entitled to in return for teaching load cannot be combined for several weeks and used all at once; it is essential to use it in that week. However, in cases where the instructor cannot use the entitlement in the week due to a compelling reason, upon written application and with the approval of the Deanship/Directorate and the Rectorate, several weeks' leave may be combined and used at once or at the end of terms when there is no education and training.

ARTICLE 11 – Unpaid leave

Unpaid leaves are used according to the principles below:

a) Academic or administrative personnel may request unpaid leave based on need. No wage is paid and no insurance premiums are paid during unpaid leave. Personnel rights are suspended during unpaid leave and unpaid leave is not taken into account in annual leave and severance calculations.

b) Personnel cannot work at another job during unpaid leave. The unpaid leave request is made with a leave form indicating leave duration, reason, date range, place of leave and contact information.

c) It is essential to make arrangements so that the responsibilities of administrative personnel and the education, research and administrative duties of academic personnel are carried out without disruption. Making this arrangement is the responsibility of unit supervisors authorized to grant leave.

ç) Unpaid leave is used after approval. Approval for unpaid leave requests up to two days belongs to the unit manager for academic personnel and to the Secretary General for administrative personnel. Unpaid leave requests exceeding three days must be made two weeks before the leave date and may be used after the approval of the Chair of the Board of Trustees. Monthly or up to six months' unpaid leaves may be used with the consent of the Chair of the Board of Trustees.

d) If unpaid leave requested for weekdays coincides with the day before the weekend, the weekend day is added to the leave period.

e) Return dates from unpaid leave are checked by the unit manager, the Directorate of Human Resources Organizational Development Unit and the Department of Personnel Affairs. If the personnel does not start work at the end of the period, minutes are drawn up immediately and reported to the Rectorate for academic personnel and to the Secretary General for administrative personnel.

f) Those who do not start work after unpaid leave without any excuse lose their right to work and are deemed to have resigned. For personnel who receive a medical report covering the period

before and after the end date of unpaid leave, procedures are carried out for the part of the report covering the period after the end date of unpaid leave; and the date of return to duty becomes the end date of the report. In other words, obtaining a medical report while on unpaid leave does not interrupt unpaid leave.

ARTICLE 12 – Assignment leave

In external assignments, assignment leave may be used by selecting “Duty” in the system and submitting the leave form by attaching relevant documents (assignment, invitation letter, research, academic study, article work, library, meeting, congress, presentation, fair, training, seminar, etc.) and a document including unit manager approval. For duty leaves to be requested for participation in scientific studies and events lasting two days or more, it is necessary to apply to the BAP Commission.

ARTICLE 13 – Graduate education leave

Academic personnel continuing their graduate education outside Istanbul Aydın University may use graduate education leave.

In the coursework period, by submitting a student certificate and weekly course schedule, excluding semester and summer breaks: administrative leave of one day per week may be granted for at most 3 semesters in master’s and doctoral education; and at most 5 semesters in integrated PhD (excluding semester and summer breaks).

In the thesis period, by submitting a student certificate, excluding semester and summer breaks: administrative leave of one day per month may be granted for at most 3 semesters in master’s and at most 4 semesters in doctoral education.

Graduate education administrative leave cannot be used in any way during Istanbul Aydın University examination periods.

ARTICLE 14 – Official holidays and leave periods

(1) The University does not work on the official holiday days listed below. For personnel working on holidays, one day’s wage is paid for each day worked.

- a) New Year’s Day (01 January),
- b) Ramadan Feast (Eid): from 13:00 on the eve day + 3 days,
- c) Feast of Sacrifice (Eid al-Adha): from 13:00 on the eve day + 4 days,
- ç) 23 April – National Sovereignty and Children’s Day,
- d) 01 May – Labor and Solidarity Day,
- e) 19 May – Commemoration of Atatürk, Youth and Sports Day,
- f) 15 July – Democracy and National Unity Day,

g) 30 August – Victory Day,

ğ) 29 October – Republic Day (from 13:00 on 28 October + 1 day).

CHAPTER THREE

Miscellaneous and Final Provisions

GENERAL PROVISIONS

ARTICLE 15 –

(1) Leaves are processed in the Leave Request Form and, after being signed/approved by the unit manager, are sent via the system to the Department of Personnel Affairs for academic personnel and to the Directorate of Human Resources Organizational Development Unit for administrative personnel. Unit managers must notify the Directorate of Human Resources Organizational Development Unit / Department of Personnel Affairs whether the personnel started work within three days following the end date of the leave. The relevant unit manager is responsible for damages that the institution may suffer due to failure to make this notification.

(2) The Department of Personnel Affairs and the Directorate of Human Resources Organizational Development Unit are responsible for ensuring that all leaves are used in accordance with this directive, for tracking them and for reporting.

(3) For all types of leaves up to two days, evaluation and approval/non-approval will be performed by the unit manager for academic personnel and by the Secretary General for administrative personnel.

CASES NOT PROVIDED FOR

ARTICLE 16 –

(1) In cases not provided for in this Directive, procedures are carried out pursuant to Labor Law No. 4857 and other relevant legislation.

(2) Any announcements, procedures and principles regarding any leaves and their use to be made by the Rectorate or the Chair of the Board of Trustees outside this Directive are annexes of this Directive and are binding for all personnel.

ENTRY INTO FORCE

ARTICLE 17 –

This Directive enters into force on 03/07/2024, the date it is adopted by the Senate.

EXECUTION

ARTICLE 18 –

The provisions of this Directive are executed by the Rector of Istanbul Aydın University.