

# ASSISTANT STRUGGLE

Ömer Furkan ÖZDEMİR

15 January 2017  
İstanbul

# RESEARCH ASSISTANT (LEGAL REGULATION)

- **Law No. 2547:**

Being Research Assistant in Turkey was organized in Higher Education Law (Law No. 2547), after the military coup of 12 September 1980, which regulates the establishment principles of Higher Education Council (YÖK) and higher education institutions (universities).

# RESEARCH ASSISTANT (LEGAL REGULATION)

- Law No. 2547:

**\* Being research assistant is mainly regulated in law no 2547, article no. 33/a:**

“Research assistants are teaching assistants who assist in research, examination and experiments in higher education institutions and perform other related tasks given by the authorized organs. They are appointed to the positions of the research assistants for a maximum period of three years with the approval of the rector upon the recommendation of the head of the department concerned, head of department, dean, institute, college or conservator; at the end of the appointment period, their assignment ends automatically. They can be reassigned in the same procedure.” (2547, 33/a)

# RESEARCH ASSISTANT (LEGAL REGULATION)

- **Law No. 2547:**

**\* There is one more regulation in the 35th article of the law with the title of "Training Faculty Member"**

“..... With the aim of training faculty member, place of research assistants of the universities can be consigned temporarily to another university by Council of Higher education to get research and doctorate studies. The ones who take doctorate or degree of specialism in medical or competence in art in this way, turn back to their universities in the end of this training. Faculty members who are trained domestically or in abroad are obliged to carry out their compulsory work in the higher education institutions in which they are bound to general provisions. No task is given to the ones who do not carry out this obligation.....”  
(2547, 35)

# RESEARCH ASSISTANT (LEGAL REGULATION)

- Law No. 2547:

## \* The Programme of Training Faculty Member

The Programme of Training Faculty Member is formed to greet the needs of newly established or will be established universities with some kind mixture of the articles 33/a and 35. It has been maintained depending on METU (Middleeast Technical University) until 2010, starting from 2010 has been maintained with generalization to other universities. However, the programme is removed with the Executive Order No 674 which was issued on the 1st of September in 2016.

# RESEARCH ASSISTANT (LEGAL REGULATION)

- Law No. 2547:

## \* Famous 50/d Article of the Law:

The students who get postgraduate education can be assigned to one of the places of education assistant for one year each time as well as benefiting from scholarships dedicated to them.

Constraining assistantship to postgraduate education and containing no work guarantee, the regulation seems attractive for the university administrations and assistant employment is mostly done over this article.

*It is possible to say that this is the reason which lies behind the reality of the fact that assisant struggle is known as 50/d struggle.*

# RESEARCH ASSISTANT (LEGAL REGULATION)

- Law No. 2547:

**\* More aggravated status of 50/d for the assistants of the faculty of medical: 50/e**

“In determination of salaries and subsidies of the ones who carry out specialism education in medical, salaries and subsidies of the personnel of the Ministry of Health and Social Assistance with the same status is taken into consideration.

*By this way, the assistants who carry out specialism in medical are almost in the same status with servants doing every work in the hospitals.*

# RESEARCH ASSISTANT (LEGAL REGULATION)

- **Foundation Universities ( Regulation of Foundation Higher Education Institutions, Article 23)**

The working basis of academic and administrative personnel who will work in foundation higher education institutions are subject to provisions which has been foreseen for state universities in law no. 2547. Provisions of 4857 Labor Law are applied for salaries and other personal rights of this personnel. ( Statement of personal rights was cancelled by judgment of the 8th department of Council of State with date of 29/4/2011 and number of E.:2008/8234, K.:2011/2452.)

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **There are 6 different types of employment in the context of current legal regulations (in addition, the 7th form of employment was ÖYP (The Programme of Training Faculty Member) but it's still not on operation):**
- Assignments by article no.33/a
- Assignments by article no.35
- Assignments by article no.50/d
- Research assistants in Medical Faculties (by articles 50/d and 50/e)
- Project assistants
- Being research assistant in Foundation Universities

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **The ones working in scope of 33/a:**
- In essence, it is known as relative guaranteed position of assistants. Being assigned for three years in common and being restricted to higher education brings a relative guarantee for work. However, uncertainty in job description in the same article with assignment, brings similar problems with assistants from different employment types.

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **Article No.35 Assignments:**

In essence, it is applied by assignment of assistants in other universities in situation of inexistence of higher education programme in their university. University administrations do not eager for this; and lucky minority who get assigned are exposed mostly to drudgery in their assigned university.

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **The assistants working in scope of 50/d:**
- The most important problem of the assistants working in scope of 50/d who consists of the main mass of assistant struggle in Turkey is restriction of being assistant to higher education. In the end of their education period, the assistants who get phd degree are awarded by being unemployed in the same day.
- In addition, it is the most obvious shape of being research assistant in which most general assistant problems are being felt which will be mentioned in next sections.

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **Research assistants in Medical Faculties (by articles 50/d and 50/e)**

They do not only share the problems of the assistants with 50/d, but also are exposed to drudgeries in medical faculties.

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **Project Assistants:**

TUBITAK Project Assistants, creates the most marginal shapes of flexible employment with no association of higher education students with university, restricted to project period, far away to all personal rights and this means reconstitution of the assistants.

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **Being research assistant in Foundation Universities**

They work in scope of 4857 Labor Law, their higher education fees are cut from their salaries by installments, in other words they are worked in response of scholarship. They are exposed to a number of Works which are irrelevant with academic work in foundation universities which are managed by the business logic.

# RESEARCH ASSISTANT (TYPES OF EMPLOYMENT)

- **“Unregistered employment of assistants”**

Beside all of these, there is an informal working style which can be called as unregistered assistant employment. This is the situation in which higher education students are forced to work from academic works to drudgery works without money or sometimes in return of a scholarship or one time payment like it with the hope of getting an assistant position. There are lots of examples in both foundation and public universities.

# BEING RESEARCH ASSISTANT IN TURKEY:

- **EĞİTİM SEN (Education and Science Workers Union of Turkey) RESEARCH ASSISTANT SURVEY:**
- -“BEING RESEARCH ASSISTANT: NON-ACADEMIC BUT BEING PUBLIC OFFICER,  
-NOT A “SCIENCE SEEDLINGS” BUT  
“A GREAT VARIABLE WHICH CAN BE FILLED BY CHIEF”

# The Works Done by Assistants: 100% of them do every work including delivering wedding invitation cards.

- Every kind of work is ordered assistants to do. The most common ones from up to down:
- Supervising
- Student Consultant
- Carrying works and welcoming guests
- Entering the courses with professors,
- Preparation of programmes,
- Secretaria,
- Entering the courses directly,
- Laboratory recruitments,
- Tea and coffee services,
- Looking after the children of the professors and being sent for their personal works .

# **Moving away from ideals of academic study in the clamp of drudgery and mobbing.**

- The assistants are becoming alienated individuals to their job with exacted working styles and conditions, most of the time only administrative works and other drudgeries, in their works they started with academic ideals.

# **Response of the Objection to Drudgery: Mobbing**

- It is possible to be exposed to heavy sanctions respectively tough warning, mobbing, insult, difficulties made in the process of thesis, not renewing the contract or not giving place of working.
- Women assistants are more exposed to mobbing.

## The Essence of 50/d: Precarious Work

- Being restricted of employment by higher education insists academic study with precarious and uncertainty.
- There is no guarantee for the position of assistant professor in post assistant; even if the position is opened, there are times passed by unemployment.
- Most of the assistants specify that there may be problems for the place in their institution, in this situation they would look for place in other universities, and even they are in the quest to place from now.

# Employment of Assistants with the Business Logic: Insisting Heaviest Forms of Flexibility

- Institution and chief centered flexible working is exacted by reversing side of the person centered flexible work which stands in the essence of the academic work
- Over working is becoming usual by being seen as administrative personnel with working hours and being exposed to heavy administrative works with limited time.
- Assistants are obliged to use remaining time (in fact there is no time) for their academic works.

# Dominating Business Logic over the Universities: Working Based On Performance

- The first step of being an academician, being research assistant, is effected most by the understanding of working based on performance dominated in every step of academician which forefront the quantity rather than quality.
- Academic publications which are continuous but not caring quality and having no contribution to the field; only important for their quantity...

# BEING RESEARCH ASSISTANT IN TURKEY:

- When we look at the sum of all the different types of employment and the Egitim Sen's survey questionnaire, it is possible to arrange to be a research assistant in Turkey under the following headings :
- “FIRST STEP OF BEING AN ACADEMICIAN”
- DRUDGERY
- UNCERTAINTY- PRECARIOUS WORK
- FLEXIBLE WORK
- MOBBING
- ALIENATION

# The research assistants,

- -when starting working life, have experienced negative practices.
- -are at the most subordinate position in the academic hierarchy.
- - can lose their job any time since they are mostly employed temporarily.
- -refer to professional students or the students with wage-earning.
- -are the disposable workers since they do not have a decent work.
- -since their job-definition is undetermined, they can be responsible for doing anything.

## 50/d: The most disadvantaged type of employment for research assistants

**“Nearly everybody is subjected to 50/d”**

- while the permanent employment rates for the research assistants are sharply decreasing, temporary employment becomes more and more spread.
- The research assistants who were subjected to ÖYP
  - had an advantage of having a permanent job. However they have to do compulsory service in order to dispose of compensation brought by the contract.
  - were seriously socially excluded by their supervisors since they had graduated from different universities.
  - experienced many obstacles in writing their dissertation when they are graduate student in a different university
  - today, since the ÖYP have been abolished, their employment status has been changed, and they become to be subjected to 50/d, too.

# The Center of Assistant Struggle: Struggle of 50/d

- The "first step of the academics" that uncertainty, precariousness, the heaviest impulse of the drudgery, the extreme forms of flexible work, all of which are imposed by quantitative performance imposed.

# Samples from Assistant Struggle in Turkey

- 2009 Assistants Demonstrations
  - Istanbul, Ankara, Kocaeli and many other different widespread demonstrations of assistants who were assigned with 50/d
  - As a result of these demonstrations, many universities assigned 50/d assistants to article no. 33/a (which is relative guaranteed position) but many did not.

# Samples from Assistant Struggle in Turkey

- 2012-2013 Struggle of İstanbul Technical University (ITU) assistants
  - The resistance of the ITU assistants started by setting up tents was also supported by the assistants of other universities
  - Partial achievements such as the partial extension of the duration of the assistants who were close to finish their phd, obtained by the assistants at the end of the demonstration in front of YÖK (Higher Education Council) building.

# Samples from Assistant Struggle in Turkey

- “50/d’yi Bal Eyledik”
- Ahsen Deniz Morva, who was also a 50/d assistant, made a documentary movie, that tells the story of 50/d assistants struggle.

# Samples from Assistant Struggle in Turkey

- The outcome of the struggle of assistants and Egitim Sen (Education and Science Workers Union of Turkey), YÖK (Higher Education Council) published a decision in 2015, emphasizes that universities must declare objective criteria on assignments from 50/d to 33/a. But it did not make 33/a assignment obligatory.
- Some universities declared their criteria, but those were nearly assistant professor criteria.

# Samples from Assistant Struggle in Turkey

- Struggle on Jurisprudence
  - There are different and conflictive court decisions.
  - Some decisions give rights to reassignment on the scope of 33/a but some does not.
  - Generally, positive opinions and requests of the task unit are taken into account by the courts.

# Assistant Struggle: The Struggle of Right to Work, Safe Work, Employment Security and Struggle for Future

- Targets of struggle:
- Up to date and urgent, assignment on the scope of 33/a and the creation of protection mechanisms against mobbing and drudgery are at the center of assistant struggle.
- In the short and middle term, stopping assignments on 50/d; making assignments on 33/a, improvements on working environment,
- In the long term, ensuring the academic job security and autonomy as a requirement of right to work that is most important fundamental human right on international law and constitution.

- References:
- The works and datas of Education and Science Workers Union of Turkey – Hihgher Education Bureau
- Experiments of assistant struggle in Turkey

