

Challenges and Proposed Solutions in the Implementation of Law No. 6331 on Occupational Health and Safety in State Universities in Türkiye

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Abstract

The Occupational Health and Safety Law No. 6331 brought on a radical change in occupational health and safety (OHS) in Türkiye. OHS legislation directly applied to public institutions and universities assumed important roles as employers. This study aims to analyze the current state of the OHS practices in the state universities from the point of public administration and reveal the main problems experienced in the practice. Using the literature review method, the current OHS practices at universities were analysed based on the organizational capacity and structure, risk assessment practices, level of knowledge and awareness, organizational culture, and gap between legislation and practice. It has been found that the categorisation of universities as “low-risk” workplaces has negative effects on the institutional level of priority in the study of OHS, that risk assessments are prepared generally in a way that does not reflect the specific risks of the institution and that most OHS activities are undertaken only in order to comply with the legal requirements. In addition, lack of institutional coordination, insufficient training and awareness, and limited inspection mechanisms are among the main factors reducing the effectiveness of OHS practices in universities. Within this framework, the study presents recommendations for strengthening occupational safety and health management systems in universities by developing institutional governance structures, increasing technical capacity, expanding training and awareness programs, integrating a safety culture into the institutional culture, and activating audit mechanisms. Considering the scientific production and societal guidance roles of universities, it is assessed that effective OHS practices developed in these institutions can serve as examples for both the public and private sectors.

Keywords: Occupational health, occupational safety, public administration, risk assessment

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1. Introduction

Following the enactment of the Occupational Health and Safety Law No. 6331 in 2012, the field of OHS, which was previously regulated by secondary legislation scattered under the Labor Law No. 4857, was brought together under a single umbrella, and public personnel were also included within the scope of this law and provided with legal protection (Boz Eravcı, 2019). The law is generally based on very important principles such as risk assessment, proactive approach, employee participation in all processes, and clarification of the employer's obligations (Korkmaz & Avsallı, 2012). However, a review of the literature reveals significant discrepancies and gaps between actual OHS practices in both general working life and educational institutions and legal regulations (Yavuz & Gür, 2021; Telatar et al., 2020).

Universities, in addition to being complex organizations where autonomy, academic freedom, and a number of bureaucratic structures are intertwined, are also public institutions that, when considered as employers under the Occupational Health and Safety Law No. 6331, encompass a wide variety of risk groups, including academic staff, administrative staff, part-time students, interns, etc. Therefore, examining OHS practices in universities seems quite amenable to analysis in terms of governance, institutional capacity, accountability, and participation dimensions within the public administration literature (Baykal et al., 2022; Çiçek et al., 2023).

Within this context, the application of the Occupational Health and Safety Law No. 6331 in state universities raises various key areas of discussion: institutional coordination, administrative responsibility, allocation of resources and continuity of preventive practices. Although like other public institutions, universities must establish effective OHS management systems, its higher education decision making process, structure involving many administrative units and the diversity in type of working environments, i.e. laboratories, workshops, offices and field studies, will present other challenges in the practically apply OHS policies.

Therefore, evaluating how the legal obligations stipulated by Law No. 6331 are reflected in institutional practices in state universities is important in terms of revealing existing implementation gaps and determining areas that need improvement. Accordingly, the aim of this study is to examine the main problems encountered in the implementation of OHS legislation in state universities in Türkiye and to develop solution proposals that can contribute to strengthening OHS governance in higher education institutions.

2. Materials and Methods

This study is qualitative research aimed at revealing the current state of OHS practices in state universities and the main problems encountered in practice. In the research, academic studies, legislative texts, and institutional reports in the public administration and OHS literature were evaluated using a systematic document review method. Document review is one of the qualitative data collection techniques based on the systematic examination and interpretation of written sources related to a specific phenomenon.

The Occupational Health and Safety Law No. 6331, supported by secondary legislation regulations, is among the most significant legal frameworks in this research. The researchers utilized the Occupational Health and Safety Law No. 6331 due to their fascination with the way safety practices appear in educational institutions. The study involves a comprehensive review of national and international academic articles, and the thematic focus of the investigation reflects the researchers' idea of the connection between institutional reports and scientific studies. The thorough and systematic literature review consists of various sources of data, such as theses and reports, as well as the methodology, for instance, comparative perspectives and sectoral analysis. Moreover, the search strategy for the research contains specific keywords such as “occupational health and safety”, “occupational health and safety in universities”, “safety culture”, and “risk assessment”, while the selection involves specific databases, for instance, DergiPark, Google Scholar, and various university databases. The researchers used rigorous standards for relevance, timeliness, and scientific contribution. The content analysis comprises layers of thematic classification that are highly organized, contributing to the analytical evaluation of institutional capacity and risk assessment practices. The research also contains a sense of depth since it is grounded in DergiPark, Google Scholar, and university databases. Numerous themes give the findings shape outlining areas where legislation meets practice and knowledge changes to organizational culture, while the analysis also applies comparative principles to determine the strengths and weaknesses of OHS practices in universities.

The analytical framework of the research was created by considering the public administration perspective. In this context, OHS practices in universities were examined within the framework of public administration concepts such as governance, institutional capacity, accountability, and participation, and the findings in the literature were interpreted in this context. Thus, not only the level of compliance with legislation but also the impact of corporate governance structures

on OHS practices was evaluated. Since this study is a theoretical evaluation based on document review, data were not collected from human participants, and no survey or interview method was used. Therefore, there is no data collection process requiring ethical committee approval within the scope of the research. However, all sources used have been cited, and academic ethical rules have been followed. Table 1 shows the literature findings regarding OHS practices in state universities and educational institutions in Türkiye.

Table 1. Literature findings on occupational safety and health practices in universities and educational institutions.

| Author/Year | Field of Study | Key Findings | Evaluation from an OHS Perspective |
|-------------------------|--|---|--|
| Yavuz & Gür (2021) | OHS practices in universities | It has been determined that OHS processes are not systematically monitored, and practices are not carried out within the framework of an institutional program. | Institutional coordination and monitoring mechanisms are inadequate. |
| Baykal et al. (2022) | OHS Management in educational institutions | It has been determined that most OHS activities are carried out for the purpose of compliance with legislation. | OHS culture is not sufficiently integrated into the corporate structure. |
| Kandemir & Argon (2020) | School safety | It has been observed that the perception of security in educational institutions is mostly limited to physical space security. | Risk perception is limited. |
| Telatar et al. (2020) | OHS awareness in small businesses. | It was determined that employees' knowledge level of OHS was low, but the training increased their knowledge level. | Educational activities are of paramount importance. |
| Çiçek et al. (2023) | Post-pandemic OHS culture | The pandemic increased awareness of OHS, but practices mostly remained at the mandatory level. | Corporate culture transformation is necessary. |

3. Theoretical and Legal Framework

The Occupational Health and Safety Law No. 6331, prepared based on the EU's Framework Directive 89/391/EEC, has redefined all employers' responsibilities in the field of OHS based on risk assessment and cooperation, and OHS has begun to be addressed not only as compensation payments after work accidents but also as a preventive approach. All employees, including public personnel, have been included in the scope of OHS protection, and employers have been obliged to conduct risk assessments, provide training, inform, conduct health inspections, keep records, and make notifications (Akpinar & Çakmakkaya, 2014; Seratlı, 2004; Süzek, 2014).

Law No. 6331 contains provisions that closely concern universities, particularly in terms of employer obligations such as ensuring risk assessment, establishing OHS organizations (OHS board, workplace physician, occupational safety specialist, health personnel), ensuring the election of employee representatives and their inclusion in OHS processes, providing training and information to all employees, protecting interns and part-time student employees, ensuring that occupational accident and occupational disease notifications are made within the legal period, and regulating subcontracting relationships (Boz Eravcı, 2019; Şener et al., 2023).

4. Results

4.1. Overview of Occupational Safety and Health Practices in State Universities

4.1.1. The Impact of Universities Being Classified as “Low Risk.”

According to the Communiqué on the List of Hazard Classes Related to Occupational Health and Safety, published in the Official Gazette dated March 29, 2013, and numbered 28602, all businesses are divided into 3 classes: Low Hazard, Hazardous, and Very Hazardous. The main activity carried out in the workplace is taken into consideration when determining the workplace hazard class. According to this communiqué, universities are classified as "Low Hazard". In universities, each department where teaching staff and all other employees work is considered a workplace. Universities contain many structures such as administrative buildings, classrooms, laboratories, libraries, canteens, dining halls, dormitories, and conference halls, and each of these structures has different risk factors and hazards (Yılmaz & Bilici, 2020; Şener, 2023; Altın, 2025). Table 2 shows the main risk areas present in university campuses.

Table 2. Major risk areas on university campuses.

| Campus Area | Potential Risks | Type of Risk |
|----------------------|--|--------------------------------|
| Laboratories | Chemical exposure, explosion, fire | Chemical/Physical |
| Workshops | Machinery accidents, injuries from sharp or pointed tools. | Physically |
| Offices | Musculoskeletal disorders, screen-based devices | Ergonomic |
| Libraries | Prolonged sitting causes ergonomic problems. | Ergonomic |
| Dormitories | Fire, crowd evacuation problems | Acil durum |
| Dining halls | Slips, falls, burns from hot surfaces | Physically |
| Campus general areas | Traffic accidents, crowd risks. | Physically / Organizational |

The fact that universities are classified as "low-risk" workplaces leads to OHS practices being perceived as less important by both managers and employees. A focus group study conducted at Hitit University on this subject revealed that employers, employer representatives, and employee representatives have sufficient knowledge of the law and their own obligations; however, OHS practices are not fully implemented, OHS processes are not monitored, and the work being carried out is not fully understood (Yavuz & Gür, 2021).

Studies examining OHS management systems in educational institutions show that legislative obligations largely remain on paper and that OHS activities are generally perceived as a "formality" (Baykal et al., 2022). Reports prepared by the State Audit Institution are also in the same direction, emphasizing that OHS measures in educational institutions are inadequate and that there are deficiencies in institutional organization and budget allocations (Baykal et al., 2022).

4.1.2. Occupational Health and Safety Culture and Organizational Perception

Studies on OHS culture in universities show that occupational safety is perceived as largely limited to laboratory and field work, and that offices and classrooms are considered "risk-free environments" (Şensöğüt, 2018; Yavuz & Gür, 2021). However, almost every area of educational institutions contains a wide range of risks, including physical, chemical, biological,

ergonomic, and psychosocial risks, as well as fire, earthquake, and crowd evacuation scenarios (Baykal et al., 2022; Kandemir & Argon, 2020).

Research on OHS culture following the COVID-19 pandemic shows that both individual and institutional measures implemented during this period strengthened some aspects of OHS culture in workplaces, but in many institutions, practices remained only at the level of fulfilling legal obligations (Çiçek et al., 2023; Acar & Üçüncü, 2023). This situation highlights the necessity of making OHS an indispensable dimension of the institutional culture of universities. Figure 2 illustrates the conceptual model of the factors affecting occupational health and safety performance in public universities in Türkiye.

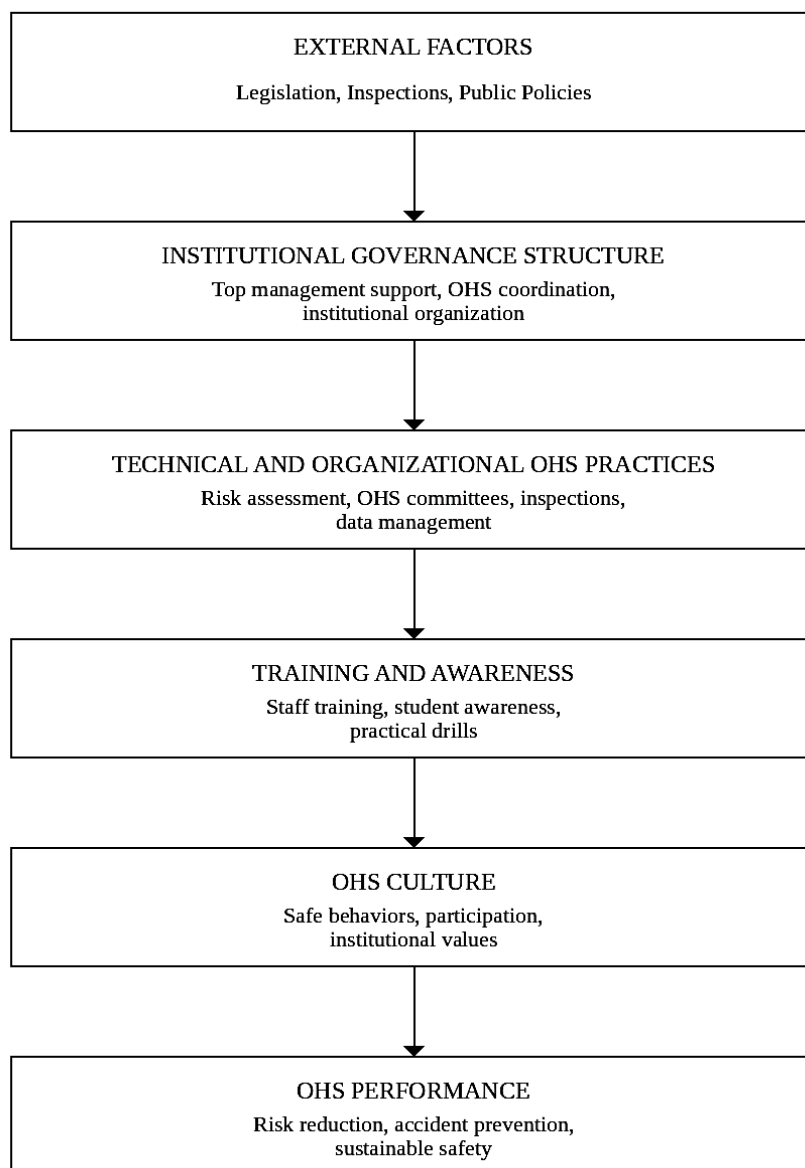


Figure 1. Conceptual model of factors influencing occupational health and safety performance in public universities

4.2. Key Challenges Encountered in Practice

4.2.1. Institutional Capacity and Organizational Problems

Studies examining OHS management systems in educational institutions indicate that there are significant differences in establishing the institutional OHS structure in accordance with legal requirements, and that the top management, which actually uses the title of employer, often views the issue as an administrative "compliance" matter (Baykal et al., 2022). A study conducted at Hitit University revealed that OHS processes are not systematically monitored and that the work is not carried out within a holistic program (Yavuz & Gür, 2021).

Universities are complex structures with different campuses and numerous units. This makes it difficult for OHS committees to function effectively, for risk assessments to be carried out holistically, and for coordination to be achieved (Baykal et al., 2022). Even in medium-sized workplaces, OHS practices are often limited by legislation, and a lack of organizational structure weakens their implementation, as seen in various sector studies (Koçali, 2021; Telatar et al., 2020).

4.2.2. Deficiencies in Risk Assessment and Technical Implementation

With Law No. 6331, risk assessment has become mandatory in all workplaces, and numerous methods and applications have been developed over time (Akkoyun & Okur, 2021). However, studies that systematically address risks specific to the higher education field are limited. Assessments conducted in educational institutions show that risk analyses are often prepared using a "template" approach, failing to adequately reflect the diversity of risks specific to the institution (Baykal et al., 2022).

It is emphasized that detailed classification of physical, chemical, biological, and ergonomic risks is mandatory in sectors with risk profiles similar to university activity areas, such as restoration, construction, and laboratories, and that even in these areas, practical studies are insufficient (Uzun et al., 2020). This situation points to a lack of multi-dimensional and dynamic risk assessment capacity in universities as well.

4.2.3. Deficiencies in Knowledge, Awareness, and Education

The level of knowledge and awareness of employees regarding OHS is a key determinant of the success of implementation (Ateş, 2020). Research conducted in different sectors shows that

both employers and employees are not sufficiently aware of OHS legislation and basic concepts, and that legislative changes have a limited impact on the field (Telatar et al., 2020; Karadağ & Çınar, 2023). A study conducted on small workplaces in Rize found that the level of knowledge regarding OHS was low; however, even short-term training significantly increased this level (Telatar et al., 2020).

Studies conducted in educational institutions also indicate that teachers and administrators attach importance to making physical spaces safe and conducting awareness activities regarding school safety, but they experience shortcomings in legislation and authority, and the legal framework is not sufficiently internalized (Kandemir & Argon, 2020). Studies on academics working in OHS programs at universities also point to deficiencies in field expertise, practical experience, and interdisciplinary collaboration (Gür & Yavuz, 2020).

Regarding interns and students, it is emphasized that the training and protection obligations under Law No. 6331 are not sufficiently clarified, either legally or practically, and that interns often remain in a "grey area" (Çüçen, 2022).

4.2.4. Occupational Health and Safety Culture, Organizational Resistance, and Managerial Priorities

In Türkiye, OHS practices are often considered as a "legal obligation", OHS has not become an internalized aspect of corporate culture, this is reflected in the studies which were conducted after the pandemic period (Karaahmetoğlu, 2020). The same situation is prevailed in universities: Although managers and their employees accept the importance of OHS in principle, other issues, such as academic performance, pressure for research and publication, financial constraints etc., lead to push OHS issues to the backseat (Yavuz & Gür, 2021; Şensöğüt, 2018).

The literature has revealed that the willingness of the employees to comply with safety rules is greatly affected by the micro and macro factors in the organization; management commitment, participatory decision-making processes, and feedback determine safety performance (Simard & Marchand, 1997; Balkır, 2012). These findings highlight the significant role of top management and corporate governance models in creating a culture of OHS in the universities.

4.2.5. Legislative-Implementation Gaps and Audit Problems

The Occupational Health and Safety Law No. 6331 , extends to the public institutions and therefore provides the necessary legal framework for the OHS in the State universities. However, there seems to be an apparent gap between what is stipulated in the legislation and what is practiced. While some obligations are clearly regulated, for example risk assessment, employee training, the establishment of OHS units, problems of institutional capacity and continuity can be seen in how these processes are practiced in the university. The multilevel and fragmented organizational structure of universities makes it difficult to ensure uniformity of application of OHS in different academic and administrative units and supervision of OHS processes. The second is that auditing mechanisms are one of the most important factors creating a further distance between legislation and practice. Generally, internal audits in public institutions do not focus on a risk-oriented approach but instead on document and procedure compliance. This situation leaves OHS practices on the level of formal compliance without necessarily improving the working conditions. In other words, the OHS management approach based on prevention and continuous improvement has not been sufficiently formed.

On the other hand, the poor rooting of the OHS indicators in the strategic planning, performance program, and budgeting processes of universities result in a trailing of this area in institutional priorities. Although public administrations have moved towards a performance-based management approach of the public administration within the scope of the Public Financial Management and Control Law 5018, enough OHS-related measurable and monitorable indicators have not been integrated in the systems. This reduces the accountability of managers and undermines the sustainability of OHS practices. In this regard, closing the gap between law and practice requires strengthening audit processes, moving towards risk-based monitoring strategies, and making OHS part of corporate governance processes.

5. Proposed Solutions from a Public Administration Perspective

5.1.1. Strengthening Corporate Governance and Organization

OHS responsibility in universities should be clearly defined at the senior management (rectorate) level; a senior manager or coordinator structure responsible for OHS should be established (Balkır, 2012; Boz Eravcı, 2019).

OHS boards should be structured in a multi-level (central board – unit boards) manner to cover different campuses and units; meetings, decisions, and monitoring processes should be made transparent and auditable (Baykal et al., 2022).

Internal university audit units should regularly monitor OHS performance indicators and report to the rectorate and the public; OHS-specific targets and indicators should be included in strategic plans and performance programs (Koçali, 2021).

5.1.2. Risk Assessment and Enhancement of Technical Capacity

Risk assessment guides specific to the fields of activity of universities (laboratories, workshops, construction/infrastructure projects, field studies, office environments, dormitories, etc.) should be developed (Akkoyun & Okur, 2021; Uzun et al., 2020).

Risk assessments should not be limited to outsourcing but should be carried out by multidisciplinary in-university teams with contributions from academics from different disciplines, such as engineering, medicine, and social sciences (Gür & Yavuz, 2020).

OHS information systems should be established; accident, near miss, and occupational disease notifications, as well as risk assessment findings, should be collected in a common database and analyzed regularly (Koçali, 2021).

5.1.3. Education, Awareness, and Human Resources Management

OHS training for academic and administrative staff should not be limited to legal knowledge but should also include university-specific risk scenarios, case analyses, and practical exercises (Ateş, 2020; Kandemir & Argon, 2020).

Mandatory orientation OHS modules should be created for newly hired personnel, assistants, research fellows, interns, and postgraduate students; OHS training for interns should be explicitly made a corporate policy within the framework of Law No. 6331 (Telatar et al., 2020).

Compliance with OHS rules and contribution to safety culture criteria should be considered in human resources management processes (performance evaluation, reward, promotion) (Karacan & Erdoğan, 2011; Çiçek et al., 2023).

5.1.4. Integration of Occupational Health and Safety Culture into Corporate Culture

University senior management should explicitly emphasize OHS within corporate values, ethical codes, and strategic priorities; they should demonstrate visible leadership on this issue (Çiçek et al., 2023; Şensöğüt, 2018).

Participatory mechanisms (suggestion systems, feedback platforms, collaboration with student clubs, etc.) should be established in the employee-management-student triangle regarding OHS (Simard & Marchand, 1997; Kandemir & Argon, 2020).

Risk prevention practices developed during the pandemic should not be limited only to biological risks, but should be evaluated as an opportunity to strengthen the OHS culture in a broader sense (Acar & Üçüncü, 2023; Çiçek et al., 2023).

5.1.5. Strengthening the Legislation-Practice Link and External Auditing

Data sharing and joint audit models should be developed between the Council of Higher Education and the Ministry of Labor and Social Security, and the OHS performance of universities should be monitored periodically (Baykal et al., 2022).

External audit processes should not be reduced to mere document control, but should be carried out with a risk-based and on-site observation approach (Karaahmetoğlu, 2020; Koçali, 2021).

Universities' social responsibility reports and sustainability statements should include dedicated sections on OHS performance; this area should be linked to sustainable development goals and corporate social responsibility (Tiltay et al., 2021).

6. Conclusion

Although Law no. 6331 clearly and exhaustively legislates the issue for state universities, there are serious practical gap due to lack of institutional capacity, poor organizational culture, inadequate training and weak inspection. From a public administration point of view, the process of embedding OHS into universities will go far beyond the mere legal compliance and will entail a holistic design of governance at the level of the human resources, strategic planning and institutional culture.

Considering the university's role in science and policy production, developing leading institutional models in OHS will considerably leverage both the public and private sectors. In this sense, institutionalizing OHS practices in state universities will not be limited to legal compliance but will seek to establish sustainability mechanisms at the institutional level. Other related issues are integrating OHS into the universities' strategic plans, continuous training for academic and administrative staff, and internal audit and reporting mechanisms. However, in order to secure the sustainability of OHS practices in higher education institutions, active employee involvement in OHS processes and the development of a preventive safety culture in all units of the institution are among the most critical factors. On the other hand, considering knowledge production, training qualified human resources, and contributing to public policy formation, this will also have broader benefits at the societal level. Universities that can institutionalize OHS practices will be able to develop institutional models that will set examples for public institutions and organizations in the private sector. In this respect, building institutional capacity, clarifying the administration's duties, and raising awareness of shared responsibility among all stakeholders will contribute not only to establishing a safe working environment within university campuses but also to the further development of OHS practices in Türkiye.

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