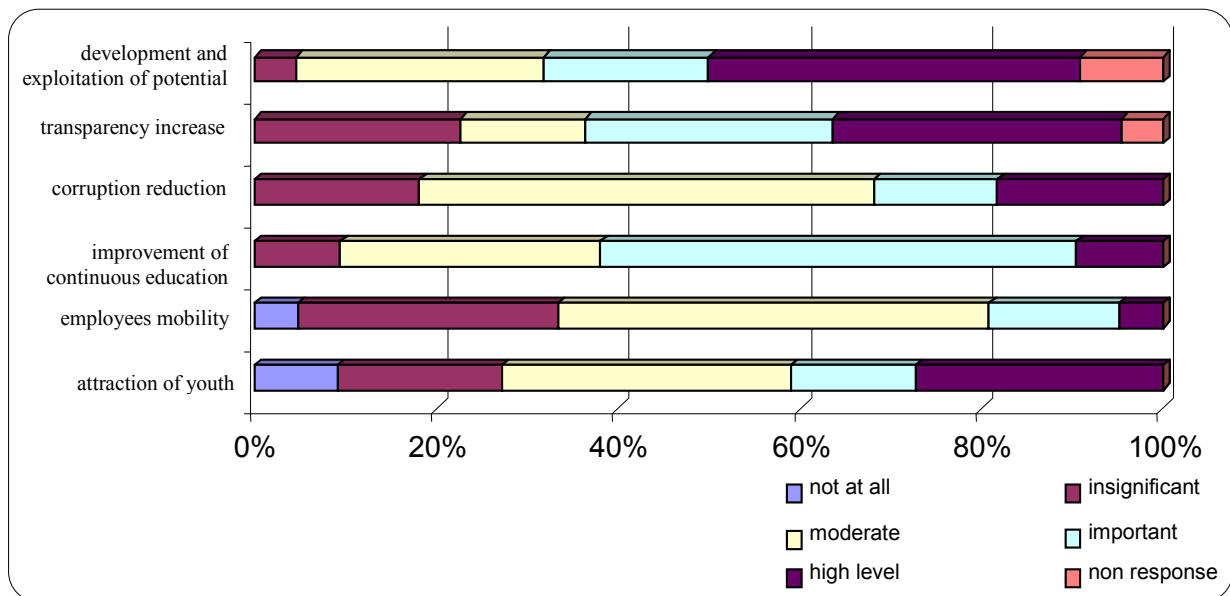


General Framework Regarding Romanian Civil Service Development

Marius PROFIROIU, Senior Lecturer, Ph.D
Alina PROFIROIU, Lecturer, Ph.D
*Administration and Public Management Department,
Management Faculty
Bucharest Academy of Economic Studies*

As result of monitoring the implementation process of the legislation from civil service and continuous education of the civil servants, as well as, development on management of civil service and continuous education at the European level, some aspects of the Romanian civil service were noticed. There were identified legislative problems, as well as problems related to civil service management. These, determined in 2003, modification of the legislative framework and strengthening of National Agency of Civil Servant role. Through Law 161/2003 it was improved the juridical frame of incompatibilities and of interest conflicts that is applicable to civil servants. This institutional and legislative development framework on civil service was continued. The study results¹ “Public administration reform in context of European accession” underlines the fact that present reform process promotes the following:



Frame 1. What promotes the present reform process

Objectives related to civil service will provide human resources development that is obvious, reform key component. These will comprise also support for applying reform measures on long term.

- On 2004 - 2006 **development of change management** and
- On 2007 – 2010 **stabilizing and consolidating civil service.**

¹ M. Profiroiu, T. Andrei, D. Dinca, *Public administration reform in context of European accession*, PAIS III, European Institute from Romania, 2006

Also, for providing the reform coherence on short and long term, within strategy, makes distinction between measures that involves human resource management and development:

Table 1

POLITIC MANAGEMENT OF PUBLIC ADMINISTRATION REFORM		
	<i>Human resource management</i>	<i>Human resource development</i>
2004-2006 Strategies on development of change management	Development of capacity on public policy formulation through strengthening the role of high civil servants and of decisional civil servants Implementation of legal requirements regarding the career of decisional civil servants	Development of career of high civil servants - Development of specialized training programs for high civil servants Decisional civil servants - Development of opportunities regarding decisional civil servants through Young Professional Scheme (YPS) - Development of a training system for decisional civil servants.
2007-2010 Strategies on stabilizing and consolidating civil service	<i>Human resources management within public administration (NACS together with other involved institutions within public administration)</i>	<i>Training civil servants (NAI and other providers on continuous education)</i>

A real reform of the civil service should observe the following aspects:

- Recruitment, selection, hiring;
- Motivation;
- Continuous training;
- Performance evaluation;
- Ethics;
- Stability, relationships with political system;
- Communication, leadership stile and creativity;
- Responsibilities in the reform process of civil service.

We consider that motivation, stability in civil service and corruption elimination should constitute the best arguments for creating a professional and apolitical civil servants corps.

Motivation as psychological process represents “a group of dynamic factors that determines behavior of an individual”². People can have different reasons in approaching a certain behavior style; personality, social conditions, experience, group influences or other factors can have impact over motivation.

Regarding public administration, rarely it is perceived the fact that this in competition with private sector in identifying and maintaining qualified personnel, therefore the importance given to motivating civil servants is insignificant, often reducing to salary and general material policies. Legislation in the field firstly approaches the rights of civil servants, as a motivation basis: opinion

² N. Sillamy, *Psychology dictionary*, Bucharest, Editura Univers Enciclopedic, 1996, p. 202

right, right to be informed regarding decisions related to application of Civil Servant Status and that affects her/him directly, right to union association, right for strike, right for salary, aso.

Realizing that there is a low salary level for civil servants, that alternative motivation instruments are lacking, that there is no transparency regarding incentives of some civil servants, as well as inexistence of some compensations that will provide a decent living, elements that lead to increasing of corruption number of cases, to creation of negative image or civil servant corps, it was proposed as objective creating and implementing of a unitary pay system.

If regarding salary there was no evolution due also to some budget constrains or restrictions imposed by international agencies, restructuring from the perspective of number of civil servant it was rarely discussed and less applied. Just few regulations considered this aspect in the sense of commensuring number of employees in relationship with objectives of each public entity. Unfortunately, it is realized that many civil service positions do not justify their existence.

On the other hand, managers from public sector, frequently associates motivation with money compensations (see table 2) and materials, fact that can be explained through inadequate managerial competences. Motivation can be realized through a series of elements that relates to managerial knowledge in the field, fact that requires a reform of decisional civil servant positions, their selection on the managerial ability basis. Also it is important innovation regarding motivation and a new attitude of managers in relationship with their collaborators.

Which of following elements represents motivation factors? – Salary

Table 2

Response	Relative frequencies (%)	Cumulative relative frequencies (%)
Not at all	4.5	4.5
In an insignificant level	4.5	9.1
Moderate	27.3	36.4
Much	27.3	63.6
High level	31.8	95.5
non response	4.5	100.0
Total	100.0	-

Therefore, there will be used following alternative motivations:

- Appreciation, politeness, attention given to work, team informing, elements that regarding to human relationship that can not be regulated;
- Involvement in work that observes tasks division and realization of an equilibrium amongst employees;
- Work environment;
- Competition in tasks achievement.

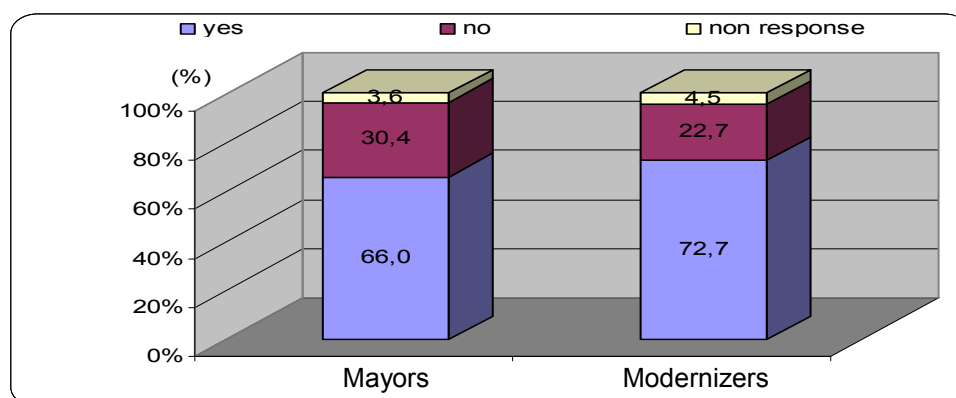
Practically, managers from public sector are facing a paradox: should motivate collaborators without having material and financial means; therefore, it is imposed much more utilizing of some alternative motivation forms. In this sense, it is necessary creation and implementation of a unitary, stimulating pay system of civil servants, simple and transparent that should reflect importance and results of activity that allow attraction and maintaining competent civil servants. For creating a unitary pay system there are necessary:

- Elaboration of an evaluation methodology for civil service positions;
- Elaboration of some options relating to pay system and estimation of financial costs, together with Ministry of Public Finance, consulting partners on social dialogue;
- Finalizing law project regarding unitary pay system of civil servants;

- Implementation of unitary pay system of civil servants that, gradually, by 2010, attractiveness degree of civil servant career to be increased.

Neutrality and impartiality are fundamental principles of civil service, in sense that their employees should be impartial in administrating job related issues. Legislation should create an adequate framework that will enable stability of jobs regardless political changes. Unfortunately, political changes, regardless legal provisions, that leads to numerous changes amongst civil servants, especially for decisional civil servants. Even theoretically is guaranteed, actually each four years there are important migrations of civil service, generated by political pressures. National Agency of Civil Servants (NACS) has attributes for civil servant management, National Institute of Administration (NAI)³ in human resource training domain. NACS is lead by a president that has a state secretary position, being nominated by the Prime Minister at the proposal of Ministry of Administration and Internal Affairs (art. 19/alin. 2, Law no. 188/1999⁴). According to Governmental Decision no. 624/2003 for approval of NACS Regulation⁵ on organization and functioning, the president deputy has a state sub-secretary position (art. 3/alin. 1). NAI is subordinated to Ministry of Administration and Internal Affairs and operates under Prime Minister Patronage. Civil servant statute applies only to about 100,000 civil servants, not to the contractual personnel or to those that have a special status. NACS do not manage totality of relevant information regarding employees from public sector. This situation will continue to exist, as long as there is not a responsible public authority that is responsible with management of all data regarding contractual personnel.

From analyzing the responses of interviewees within study “Public administration reform in context of European accession”, both of decisional level (mayors) and at execution level (modernizers) it was manifested presence of corruption within public administration, amongst civil servants, as a very negative factor, that directly influences current activities and reform process, in general.



Frame 2. Do you consider corruption as a real problem of public administration?

For evaluating causes of this phenomenon, for those two interviewees' categories, there were considered the following aspects:

³ Created through G. O. no. 81/2001 (M. Of. no. 542/1.09.2001), aproved with modification through Law no. 106/2002 (M. Of. no. 185/18.03.2002). NAI operates in basis of G. H. no. 710/2002 (M. Of. no. 519/17.07.2002).

⁴ Republished in M. Of. no. 251/22.03.2004; modified through Law no. 344/2004 (M. Of. no. 674/27.07.2004); O. U. G. no. 92/2004 (M. Of. no. 1091/23.11.2004), aproved with modiificatiions and completions cu modificări through Law no. 76/2005 (M. Of. no. 324/18.04.2005); O. U. G. no. 39/2005, M. Of. no. 430/20.05.2005.

⁵ M. Of. no. 410/11.06.2003.

- **Legal framework** – that still facilitates, in a high degree, possibility of corruption presence at the level of local public administration. This conclusion recommends urgent revision of actual legislation (Laws 215/2001, 213/2001, 326/2001, OUG 45/2003, aso.) that govern activities in local public administration and that in line with European Union and World Bank requirements related to local public administration reform
- **Pay system** – represents a determinant factor in presence and maintaining corruption within system according to interviewees' opinion. This aspect is more evident since salaries are not in concordance with sector responsibilities. Equally, this aspect is generated by lack of durable strategy regarding personnel salary and development of unitary pay system that will put in practice its provisions. These factors should decisive contribute to increasing civil servant motivation, attracting and maintaining valuable elements and reducing gaps between different categories amongst civil service, as well as from public and private sector.
- **Civil servant ethics** – represents an aspect with lower impact in corruption generation, comparing with other categories, but in not negligible. Explanation of this situation can be found in a reduced development of organizational culture and of a non-conform mentality to actual requirements of society that registers at a large scale of employees from public administration. It was noticed a much higher level of this factor by modernizers compared with mayors. This result can be explained by their position in relationship with citizens (more direct) in relationship with decisional factor.
- **Pressure from economical environment** – has also an important role in generating corruption, that is more accentuated at the mayors level in comparison with technical – execution level, fact that can be explained through an accentuate involvement on this dimension at decisional level.
- **Political system pressure** – it is remarked another determinant factor. Therefore, almost 50% of respondents appreciated that political influence is high and very high in relationship with corruption. Explanations can be offered by pronounced instability of civil service, especially at decision level, generated by electoral cycles and functioning of political clientele, mainly in distributing the financial resources at local level.
- **Citizen behavior** – has a moderate influence compared with other factors, therefore could be considered more and effect than a corruption cause.

Concluding, it should be noticed the tryouts from last years in the field of public administration reform, also, should be remarked that results are far from being significant, in comparison with citizen' expectations.

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