Report on
Management of Civil Service and Civil Servants
For 2003
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1 CIVIL SERVICE IN ROMANIA. LEGISLATIVE FRAMEWORK

1.1 Legislative framework

Until the month of April 2003, a first stage in the legislative development of the field of the civil service and civil servants was represented by the Law No. 188/1999 on the Statute of the Civil Servants, subsequently modified and completed, as well as the secondary legislation adopted on the basis thereof.

Secondary legislation

- Government Decision No. 1083/2001 on the organization and operation of the discipline commissions within the public authorities and institutions;
- Government Decision No. 1084/2001 on the approval of the Methodology for the assessment of the individual professional performance of the civil servants;
- Government Decision No. 1085/2001 on the organization of the internship, assessment conditions and the specific rules applicable to the debutant civil servants;
- Government Decision No. 1086/2001 on the organization and operation of the parity committees;
- Government Decision No. 1087/2001 on the organization and operation of the contests and examinations for civil service positions.

The passing of the Law No. 161/2003 on specific measures to ensure transparency in the exercise of civil service positions, of the high civil service positions and in the business environment, prevention and punishment of corruption, that also supplements and amends the Law No. 188/1999, was a legislative priority and a necessary step in enhancing the capability of the public administration in Romania to respond to the needs of a complex and fast moving environment.

By the Law No. 188/1999 as later amended and completed, the following are clarified:
- the notion of civil service and civil servant, which will result in a better management of the public service and of the civil servant staff;
- classification of the civil service positions and civil servants;
- the activities involving the exercise of the public authority prerogatives.

Moreover, the new legislative framework allows for:
- the standardization of the criteria and procedures for the recruitment and assignment of a crucial role to the National Agency of Civil Servants in
managing and supervising the recruitment procedures;
- the creation of an effective system for the re-assignment of the civil servants who were removed from civil service for reasons that may not be attributable to them;
- compulsoriness of recognition of the Statute and the general framework in the field of the public office, as well as the harmonization of the special statutes in a short period of time since the specific law was passed;
- the enforcement of the Plan for occupying the civil service positions – an effective management instrument for planning of the civil service positions, and for the forecasting of the costs incurred by the public service in Romania.

**Secondary legislation**

- **Government Decision No. 624/2003** for the approv of the Regulations of the organization and operation of the National Agency of Civil Servants (NACS), as published in the Official Journ of Romania, Part I, No. 410/11.VI.2003;
- **Government Decision No. 730/2003** on the re-employment of the civil servants in the office corresponding to the categories of the high civil servants, as published in the Official Journ of Romania, Part I, No. 478/4.VII.2003;
- **The order of the NACS Chairman No. 218/2003** for the approv of the instructions pertaining to the re-employment of the civil servants, as published in the Official Journ of Romania, Part I, No. 386 of June 4, 2003;
- **Government Decision No. 1209/2003** on the management and development of a civil servant career, as published in the Official Journ of Romania, Part I, No. 757/29.X.2003;

**1.2 Civil service and civil servants**

The Law No. 188/1999, as amended and completed by the Law No. 161/2003 redefines the notions of civil service and civil servant.

In the Romanian administrative system there is a clear-cut delineation between the civil service positions, the civil service positions occupied under an agreement and the high civil service positions.

Such distinction has as its starting point the legitimacy to occupy a public office, respectively an office under an agreement or the high civil service and is furthered with various legal statutes applicable to the persons belonging to such categories.

**Definitions**

**The Civil service** is the totality of assignments and responsibilities, as determined in
compliance with the law, in order to achieve the public authority prerogatives by the central and local public administration.

The Civil servant is the person appointed in compliance with the law to occupy a civil service position. The person whose employment relationship has terminated for reasons that may not be attributable to the same will retain the capacity of a civil servant, continuing to be part of the reserve body of the civil servants. The totality of civil servants acting for the public authorities and institutions in public authorities and institutions of the central and local public administration constitute the civil servants body.

According to the law, the classification of the civil service positions will be made in relation to:

1. the type of assignments and competencies:
   - general civil service positions;
   - specific civil service positions;

2. the level of education required to be appointed to a public office:
   - I class civil service positions – long term higher education;
   - II class civil service positions – short term higher education;
   - III class civil service positions – high school education;

3. the level of assignments of a civil service bearer:
   - civil service positions corresponding to the category of the high civil servants;
   - civil service positions corresponding to the category of the managing civil service positions;
   - civil service positions corresponding to the category of the executing civil servants;

4. the civil servants are either debutant or permanent.

The modification of the Statute of the civil servants resulted in the creation of the high civil servants category, i.e. civil servants whose mission is to ensure the continuity and consistency of the administrative decisions required for the implementation of public policies and provide stability to the higher tiers of administration when changes occur at the political level. The existence of a body of the high civil servants creates the prerequisites for the acceleration of the administrative reform and eradication of political influence in the public administration structures.

Legislative specifications

The current form of the Law No. 188/1999 lays down a limited list of the activities involving the exercise of the prerogatives of public power being carried out by civil servants:

- enforcement of the law and of the other regulatory acts;
- preparation of the drafts of regulatory acts and other regulations specific of the authority or public institution, as well as ensurance that the same will be approved;
- preparation of the drafts of policies and strategies, programs, studies, analyses and statistics, as well as the documentation concerning the enforcement and execution of the laws, required for the achievement of competency of a specific public authority or institution;
- advisory services, internal public control and audit;
human resources and financial resources management;
• collection of the budget receivables;
• representation of the interests of the specific public authority or institution in its relationships to natural or legal public or private persons, from the interior or from abroad, within the competencies assigned by the director of that public authority or institution, as well as the representation before courts of that public authority or institution where the same is employed;
• h) carrying out various activities in keeping with the information system strategy of the public administration.

The Law No. 188/1999, subsequently amended and completed, specifies the civil servants who may benefit, in compliance with the legal regulations, of special Statutes, as well as the categories of staff in the public administration to whom the provisions of the Statute of the civil servants are not applicable.

1.3 The recruitment of the civil servants

The need to professionalize the civil servants body, in order to enhance the administrative capacity and achievement of compatibility with the European legal institutions, caused major changes in the civil servants’ career system. The procedure used for the organization of contests for occupying the vacant civil service positions was significantly modified once the Law No. 161/2003 came into force, which also imposed the adoption of the secondary legislation in the field, and the development of the legal institutions created by the framework law.

Applicable law

The location of the matter is section 1 of Chapter VI of the Law No. 188/1999 as later amended and completed, as well as the Government Decision No. 1209/2003 on the management and development of the civil servants career.

The principles underlying the management and development of the career within the civil service are: competence, competition, equal opportunities, professionalism, motivation and transparency.

The recruitment of the civil servants will be carried out by way of contest, arranged within the limits of the vacant civil service positions annually reserved to this effect under the Plan for occupying the civil service positions. The Plan for occupying the civil service positions shall be prepared by the National Agency of Civil Servants, as based on the proposals made by the public authorities and institutions and subject to consulting with the representative trade unions of the civil servants.
The leading civil servants shall be recruited by the National Agency of Civil Servants (except for the civil service positions such as chief of service and head of bureau).

With respect to the executing civil service positions, as well as the civil service positions such as chief of service and head of bureau, respectively for the specific civil service positions, the relevant contest shall be organized by the public authorities and institutions, with the prior notification of the National Agency of Civil Servants.

The high civil servants will be recruited by a contest board, consisting of five personalities recognized as public administration specialists, appointed by the prime-minister decision, at the proposal of the minister of administration and interior.

The standardization of criteria, management and coordination by the National Agency of Civil Servants of the recruitment procedures, as well as the compulsoriness of having the relevant contests advertised for in the Official Journ of Romania will result in the enhancement of effectiveness of the management of the civil servants body, subject to the principles of transparency, equal opportunities and fair competition.

1.4 Internship

According to the Statute of the civil servants, the internship aims to verify the professional skills in fulfilling the job assignments and responsibilities of a civil service position, the practical training of the debutant civil servants, as well as awareness of the nature of the public administration and the requirements of the same.

The internship varies according to the class to which the relevant civil servants belong (12 months for 1st class executing civil servants, 8 months for 2nd class and 6 months for 3rd class).

**Legislative specifications**

The location of the matter is second section of Chapter VI of the Law No. 188/1999, as well as the Government Decision No. 1209/2003.

A major modification in this matter is represented by the provisions of art. 51 par. (1) letter b), stipulating that at the end of an internship, the debutant civil servant is removed from the relevant public office, should they have obtained at the assessment of performance the „NIAdequate” rating, unlike the previous provisions, that allowed for a repeat of that internship.
1.5 Promotion of the civil servants

The avenues for the promotion in the civil service are promotion in a higher civil service position and advancement to higher payroll ranks.

Legislative specifications

The promotion of the civil servants is made on a definitive or temporary basis. According to the Law No. 188/1999, as later amended and completed, promotion is that avenue for furtherance of career by occupying a vacant higher civil service positions by contest or examination.

The temporary exercise of a vacant civil service position is carried out by way of temporary promotion of a civil servant meeting the specific requirements.

1.6 Assessment of individual professional performance

The assessment of the individual professional performances of the civil servants will be made on an annual basis, as compared to the achievement of the individual objectives set out on the basis of the job description assignments.

The methodology in use to assess the individual professional performances of the civil servants, will establish the general framework for:

a) the objective evaluation of the professional performances of the civil servants, by comparing the degree of fulfillment of the planned individual objectives against the actual results;

b) the objective correlation between the performance of the civil servant and the requirement of the relevant civil service position;

c) creation of a motivational system, laying down rewards for the civil servants that obtained outstanding results;

d) identification of the needs to train the civil servants to ensure the improvement of the results of their activity in order to maximize results in their work.

c) promotion to a higher public office;

d) removal from the civil service;

e) establishment of the professional training requirements of the civil servants.

The assessment procedure is aimed at:

a) promotion in the payroll rankings;

b) demotion in the payroll rankings;
Further to assessment of the individual professional performances, a civil servant will be awarded one of the following ratings: "outstanding", "very good", "good", "satisfactory", "unsatisfactory". The individual professional performances of the high civil servants will be assessed by a commission consisting of five personalities appointed by the prime minister decision following the proposal of the Ministry of Administration and Interior.

1.7 Professional training of the civil servants

In order to create and develop a professional body of civil servants, the Statute of the civil servants lays down the professional advancement both as a right and as an obligation of the civil servants. According to the applicable legal regulations, the National Agency of Civil Servants centralizes the proposals related to the training of the civil servants, as established following the assessment of the individual professional performances of the civil servants. The Agency cooperates with the National Institute for Administration for the determination of the curriculum specific of the training programs specialized in the public administration and enhancement of the civil servants.

Also, as part of the annual plan for occupying the civil service positions, prepared on the basis of art. 22 of the Law No. 188/1999, as later amended and completed, the number of civil service positions reserved to the graduates of the training programs specialized in public administration, arranged by the National Institute for Administration or by similar foreign institutions will be established.

1.8 Redistribution of the civil servants

The legal institution or reassigning the civil servants of the reserve body existed also before the modification introduced to the Statute of the civil servants by the Law No. 161/2003. According to the Law No. 188/1999, in its existing form, the redistribution of the civil servants within the reserve body will be instructed via the order of the president of the Agency. In order to render operational this modality of occupying the civil service positions, the law provides for the directors of the public authorities and institutions the obligation to appoint reassigned civil servants. An innovation in this field and also the possibility to temporarily reassign the civil servants of the reserve body, in civil service positions whose bearers are suspended in compliance with the law.
Also, the Law No. 188/1999 in its existing form expressly specifies the period of retainment in the reserve body of the civil servants removed from their positions following causes that may not be attributable to them, which enables a better management of the reserve body.

1.9 Mobility of the civil servants

According to the current legal provisions, besides delegation and secondment, legal institutions also provided for previously, the Law No. 188/1999 as later amended and completed, provides new institutions by means of which the mobility inside the civil servants body will be achieved: 

- moving, final or temporary, to another department of the relevant public authority or institution;
- temporary exercise of a leading civil service as vacant or whose bearer is suspended from office in compliance with the law;
- transfer, on business and upon request, (regulated in the previous form of the law as a modality to terminate the employment relationship).

Legislative specifications

The location of the matter is section 1 of Chapter IX of the Law No. 188/1999.
2 MANAGEMENT OF CIVIL SERVICE AND CIVIL SERVANTS

2.1 Human Resources Management

The reform of the public administration is part of the undertaking of the Government of Romania to promote a modern and solidary society, served by an administration close to citizens and capable to perform the duties conferred on it by virtue of the law, at the level of the modern European standards. The acceleration of the reform in the public administration and the conditions related to the admission of Romania in the European Union single out as a priority the need for the appropriate management of the civil service and of the civil servants, as based on a strategy of previsional human resources management in the field of civil service.

Considering that, to a large extent, the enforcement of the political decisions depends on the operation of the administrative system, attention must be directed upon the improvement of the human resources management. It is important, also, that the human resources management will ensure a larger openness, diversity and professionalism, in a public administration where the civil servants act effectively and efficiently for the achievement of the public interest.

Methodological specifications

The process of improving the human resources management in the public administration is a long run process and may be defined by several major directions:

- development at the level of each public institution of its own human resources strategy and the incorporation of the same in the strategy of that institution as a priority component;
- the development of the human resources strategies at the level of each institution in compliance with the principles and guidelines included in the framework strategy – The strategy concerning the management of the civil service positions and of the civil servants;
- emphasizing the creativity and flexibility in thought and action of the civil servant;
- professionalization of the managers acting in the public administration in order to ensure the efficiency, effectiveness and quality of the public services;
- the development of a new type of organizational culture in the public institution, based on trust, and encouragement of the co-operation between and inside institutions.

The recent approaches regarding the trends of the new informational society looks upon human capital as strategic resource at least as important as the financial capital.
The notion of civil service management is crucial for outlining a complete picture on this institution. The concept may be analyzed in a material and functional sense and in a formal – organic sense.

In the material – functional sense, the civil service management means the legal acts and the material operations whereby civil servants are recruited and their professional standing (promotions etc.) is materialized, including the organizational structures of the civil service (organisational chart, position chart).

In the formal - organic sense the authorities and bodies involved in the operation of the civil service management are evoked.

**Methodological specifications**

An adequate management system for handling civil servants ensures:

- the recruitment of the competitive, adequately professionally trained staff, meeting the relevant job description;
- permanent compatibility between the dynamics of the job and the skills, capabilities and professional training of the civil service position bearer;
- the planning of the career of a civil servant from their point of view and of the public institution for which they were appointed;
- the meeting of the objectives of the public institutions and authorities by a carefully planned assignment of the individual objectives;
- the required personnel for achieving major tasks for meeting the fundamental objectives of that institution;
- the functional liaison between the National Agency of Civil Servants and the other public authorities or institution of the public administration as regards the monitoring of the cases concerning the evidence of the civil service positions and of the civil servants; career mobility; professional ethics;
- the concern of the institutions to render personnel deeply involved by an adequate motivation, the identification of the training requirements, respectively advancement and last but not least for occupying the vacancies in compliance with the applicable legal regulations.

**Annual plan for occupying the civil service positions**

A leading instrument for the planning of the civil service occupancy, as well as for estimating and forecasting the costs of the civil service in Romania, the Plan for the occupation of the civil service positions was introduced in the legislation dealing with the civil service and civil servants by the Law No. 161/2003.

The Plan for civil service occupancy is intended to result in the creation of a consistent and unitary leading policy, ensurance of continuity and celerity of the public service, awareness of the budgetary effort required for the implementation of a payroll system specific of civil servants; all the above result in the development of a real administrative capability.

The Plan for civil service occupancy is also the instrument for ensuring the
transparency of the administrative system, the open competition, the equal opportunity and will provide a civil servant with the possibility to plan their professional career.

Legislative specifications

According to art. 22 of the Law No. 188/1999 as later amended and completed, the Plan for civil service occupancy lays down:

- the number of civil service positions reserved to promotion of the civil servants meeting the legal requirements. Thus it becomes possible to forecast, as part of each public institution, the number of posts required for the promotion by way of internal contest of the civil servants meeting the applicable legal requirements.
- the number of the civil service positions to be reserved for the graduates of the training programs specialized in public administration, arranged by NIA or by similar domestic and foreign institutions.
- the number of the civil service positions to be occupied by way of contest.
- the number of the civil service positions to be created;
- the number of the civil service positions to undergo reorganization;
- the maximum number of civil service positions per each particular class, category and professional ranks;
- the maximum number of the leading civil service positions. (total number of the civil service positions corresponding, on a cumulative basis, to the category of the high civil servants and to the category of the leading civil servants acting for each public authority or institution is, according to the Law No. 161/2003, maximum 12% of the total number of the civil service positions).

The human resources planning is a key objective of the civil service management and of the civil servants, while the Plan for civil service occupancy is the leading instrument whereby the National Agency of Civil Servants will create a unitary system for the organization and systematization of the civil service that will therefore enable to also forecast the dynamics of the civil service positions for the coming years.

2.2 National Agency of Civil Servants

2.2.1 Assignments and organization

When the Statute of the civil servants was enforced in 1999, a challenge that called for a solution, like as in all the administrative structures of Eastern Europe as a matter of fact, was the lack of co-ordination and the lack of standards of human resources management in the public administration. The legislation as such is not sufficient for the creation of a professional and
competitive, effective and unbiased public service. The Statute of the civil servants was therefore supposed to establish both the instruments required for the operation of the public service in accordance with the European standards and principles, and the public institution responsible of defining the legal framework, the creation of the implementation mechanisms, as well as the monitoring and effective control of law enforcement.

Thus, in order to achieve the management of the civil service and of the civil servants there was established, by the Law No. 188/1999, the National Agency of Civil Servants, a specialist body of the public central administration, which operated under the subordination of the Government from May 2000 to December 2000. When the Government Emergency Ordinance No. 291/29.12.2000 was adopted concerning the establishment of policies regarding the organization and operation of specific ministries, the Agency underwent reorganization and was transferred under the subordination of the Ministry of Public Administration. The reorganization and operation regulations were approved by the Government Decision No. 299/2001. By the Government Emergency Ordinance No. 63/2003 on the organization and operation of the Ministry of Administration and Interior, the National Agency of Civil Servants was transferred under the subordination of the Ministry of Administration and Interior. The Law No. 161/2003 on specific measures for ensurance of transparency in exercising the high civil service positions, of the civil service positions and in the business environment, the prevention and punishment of corruption redefined the role and place of the National Agency of the Civil Servants within the Romanian institutional system.

**Assignments**

The main **Assignments** of the National Agency of the Civil Servants are:

- developing and enforcing the laws related to the civil service and the civil servants;
- monitoring and control of enforcement of the regulations in the field of the public office;
- managing the civil service programs, whereby the management of the civil service and of the civil servants is achieved;
- co-operation with other internal and foreign institutions, in order to advance the professional training of the civil servants;
- development and management of the data basis containing the data base including the nationwide record of the civil servants, as well as of the vacant civil service positions.

**2.2.2 Mission**

The National Agency of Civil Servants plays a vital role in strengthening the administrative capacity of the public authorities and institutions which are in
charge with implementing the European legal institutions in the Romanian public administration system. The field of activity of the National Agency of the Civil Servants – the management of the civil service and of the civil servants – involves a strategic, dynamic approach, that may cope with the changes and fast pace of the reform.

The management of the civil service and of the civil servants seeks the development of a professional body of civil servants, as politically stable and neutral, intended to contribute to the growth of effectiveness of the administrative system and the improvement of the relationships between the administration and civil society, in accordance with the principles underlying the exercise of the public office:

a) lawfulness, impartiality and objectivity;
b) transparency;
c) efficiency and effectiveness;
d) responsibility;
e) citizen-oriented approach;
f) stability in exercising of the public office;
g) hierarchical subordination.

2.3 Diagnosis of the civil service system

The key elements for the professionalization of the civil servants body are represented by the modality of managing the human resources in the public administration, the recruitment system, the ongoing professional advancement of the civil servants, correlation of the responsibilities of the civil service with the interdictions and incompatibilities imposed by the law, as well as an adequate wages granted to the civil servants.

2.3.1 Human resources management in the public administration

The civil service system in Romania faces the same challenges as the civil service systems in the countries bidding for admission into the EU. According to estimates of the European Commission, some of the malfunctions of the civil service system in Romania are caused by the general administrative framework. The administration may never function well, no matter how professional the civil servants are, if the institutionalized practice and the legal framework governing the decisions of the administrations are not sufficiently consistent. There is no standard definition of the public service and of the civil servants at the European level. In some states of the European Union most of the public employees are granted the Statute of civil servants. For instance, in Belgium the railway system agents are treated as civil servants. In other European states, only some of the government employees have a civil servant Statute. For example, in Germany
there is a clear-cut distinction between
civil servants, i.e. those employees vested
with public authority or state powers
(about 40% of the employees in the
public sector) and the other employees in
the public sector, subject to the specific
labor laws and collective conventions.

In Romania, there are currently a
multitude of regulatory acts governing
the legal Statute applicable to the
personnel acting in the public
administration.
According to the Law No. 188/1999 on
Statute of the civil servants, as amended
and completed by th Law No. 161/2003
the person appointed to a civil
service position performing
activities involving the exercise of
the public power prerogatives, shall
be treated as civil servant.

Furthermore, the law specifies the
categories of civil servants that may
benefit of special Statutees. These
are civil servants performing their
activities in:
- specialized structures of the
  Parliament of Romania;
- specialized structures of the
  Presidential Administration;

The Statute of the civil servants is not
applicable to:
- the remunerated staff of the
  machinery of the public authorities
  and institutions performing
  secretarial, administrative, protocol,
  householding, maintenance-repairs and servicing
  operations, as well as other
  categories of staff that do not
  exercise prerogatives of public
  power;
- the remunerates staff as employed
  on the base of the personal trust,
  within the office of the high
  official;
- body of magistrates;
- teaching staff;
- the persons appointed or elected
  in high civil service positions.

Mainly the provisions of the labor statutes
will be applicable to these categories of
staff, however there are specific
regulations concerning: magistrates,
teaching staff, military staff and medical
staff.

Therefore, the National Agency of
Civil Servants manages as few as
110,426 civil servants to whom the
Law No. 188/1999 as later amended
and completed is applicable,
including civil servants acting for the
Presidential Administration, National
Customs Authority and FNINancial
Guard.
Although they cover a small share of the number of the budgetary staff, we deem that they may be considered the nucleus in charge with implementing the aquis communautaire and of the European policies. It should be mentioned that, although the police officers and the civil servants acting for the diplomatic and consular services are not managed by the Agency, according to the Law No. 161/2003 the special Statutees applicable to the same have been largely harmonized with the provisions of the Law No. 188/1999.

Currently there is no structure designed to centralize the information concerning the entire body of the remunerated staff acting in the public sector, which information is vitally necessary to define the milestones of the human resources management in the public administration. In such context, no global strategy may be defined with respect to the human resources management in the public sector, and lack thereof causes the management of the civil service and of the civil servants to be hard to achieve.

2.3.2 The professionalization of the civil servants body

2.3.2.1 Recruitment system

The 2003 Romania Regular Report asserts that the new Statute of the civil servants lays down the principle stating that the recruitment mechanisms must be based on fair competition, transparency, professional competence and equal opportunities. Moreover, an emphasis is placed on the need to modify and supplement the specific legislative framework.

The failure to arrange contests at inter-ministry or inter-county level as well as the very large number of the recruitment contests make it hard to perform an effective control on such recruitment contests. Throughout 2003, the National Agency of Civil Servants issued more than 4,600 endorsements for the arrangement of contests for the filling of the vacant civil service positions.

2.3.2.2 Training of the civil servants

According to an evaluation made by the National Institute of Administration, stating that the cost of a training day is estimated at about Euro 50 (cca. ROL 2 million), the training costs incurred merely for the civil servants within the scope of the Statute of the civil servants should amount to Euro 38.5 million per
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year, which is a considerable budgetary strain. It must be noted that the estimation did not consider all the alternative training avenues (on-the-job, on-line etc.), which would have resulted in minimizing the estimated amount.

Challenges affecting the determination of the training programs

The main challenges identified in determining the priorities in the training programs were the following:
- the absence of a unitary strategy for civil servants training, as well as for the other categories of staff acting within the public administration;
- the absence of data for the analysis of the training needs;
- the absence of a well-structures analysis of the training needs;
- the absence of a network of training providers for the public administration;
- the poor adjustment of the components of the existing programs to the EU requirements and standards;
- the absence of the specific subjects adjusted for the training of various categories of civil servants, acting at various levels;
- insufficient funding of the the public administration staff’s participation to ongoing professional training programs and courses;
- insufficient specification of the assignments of the human resources departments as regards staff’s on-the-job training, as their activity is until now only limited to the management of the professional records;
- the absence of the link between the training of the civil servants and the development of their career;
- the existence of considerable differences concerning the quality of the services supplied by on-the-job training providers;
- the absence of a policy in the field of human resources;
- the absence of a structure of the consolidated training process;
- the absence of the procedures for monitoring, evaluation and control of the training process quality;
- the absence of the mechanisms of funding the training process.

2.3.2.3 The rights and duties of the civil servants

The Law No. 161/2003 has undeniably helped things in this field, providing a better and clearer definition the rules applicable as regards the impartiality and integrity of the civil servants. On the other hand, there are not sufficient compensations in relation to the duties, interdictions and incompatibilities provided for by the law. This fact adds to the unmotivating payroll system, which makes it difficult to retain youth as well as the competitive civil servants in the civil servants body. Nevertheless, improvements could be made in the field of the Statute of incompatibilities, including by applying the same to all the employees acting in the public sector. The legal means to combat corruption have been in place now. Their effective enforcement remains an absolute priority.
2.3.2.4 Remuneration of the civil servants

The 2003 Romania Regular Report prepared by the European Commission recognizes and clearly expresses appreciation for the **legislative progress** in the field of the civil service, as regards the recruitment system and the conditions required for the professional training and development of the civil servants by way of enforcement of the Law No. 161/2003 but there is a lingering surprise about the „limited progress” as regards the remuneration of the civil servants and singles out the drawbacks of the remuneration system, thought of as „inconsistent, discretionary and lacking transparency”.

The current remuneration system is impaired by deficiencies with negative consequences, with the core challenges being dealt with below.

**a) Poor remuneration for civil servants**

The current remuneration system provides low living standards, as the salary of a debutant civil servant equals the minimum salary on the economy. In 2003, the salary supply earmarked to the civil servants was the following:
- for public authorities and institutions in the central public administration ~ ROL 295 billion per month;
- for public authorities and institutions in the local public administration ~ ROL 155 billion per month.

The personnel spendings for public authorities and institutions funded by the state budget provided for in the State budget Law with respect to 2003 amounted to ROL 43,216.8 billion. The expenses incurred by the salaries of the civil servants worked out in 2003 to ROL 5,400 billion (12.4 % of the aggregate sum of ROL 43,216.8 billion). As related to the Gross Domestic Product (calculated for the span between 01.01.2003 and 30.09.2003), the expenses incurred by the salaries of the civil servants in the local and central public administration cover 0.003%.

**Statistic details**

- According to the statistics prepared on the basis of the data transmitted by the public authorities and institutions, by the National Agency of Civil Servants, the basic average salary of the civil servants as per the entirety of the public administration in 2003 amounted to ROL 4,500,000 per month.
- The nomNIAl average gross earning in the economy amounted in October 2003 to ROL 6,873,680 and the net earning amounted to ROL 4,957,108 lei.
- According to the data transmitted to the National Agency of the Civil Servants by...
the public authorities and institutions, 49% of the total number of the civil servants earned between ROL 2,600,000 and 4,000,000 at the end of 2003.

- Out of the total number of the civil servants, 64.81% had a basic salary amounting up to ROL 5,000,000.
- The salaries of the civil servants have decreased as opposed to other categories of budgetary personnel, and the salary indexations could not cope with the inflation rate, as in 2003 the rate index exceeded 14%.

b) Salary differences

According to the level of the institution where a civil servant is employed, the salary differences are not always reasonable considering that the assignments and responsibilities are similar.

Comparative situation

The maximum level of the salaries provided for by the Government Emergency Ordinance No. 192/2002, as per October 2003: a legal advisor acting as part of the Presidential Administration, Parliament etc. earns a basic salary of ROL 13,238,000 while a legal advisor acting for a ministry earns a maximum salary of ROL 8,470,000. A legal advisor working in a prefecture’s own staff and as part of the staff of the decentralized public services earns a salary of ROL 8,200,000 whereas a legal advisor included in the machinery of the local council collects a salary of ROL 7,176,000. Differences between salaries may be also encountered with respect to the other civil service positions.

The low level of the salaries is one of the causes of the high percentage (12-16%) of vacant civil service positions of the total number of the civil service positions, given that the length of service required for access to an executing and leading civil service has been reduced significantly.

Multiple studies explained the connection between the low level of the remuneration of the civil servants in Romania and the poor quality of the public services, the low level of the staff’s motivation, productivity and performance.

c) Lack of a consistent means for supporting the professionalization of the civil servants body, for combatting and eliminating the corruption

The low level of the remuneration of the civil servants, not correlated to the assignments and responsibilities of the public office, especially with alternative stimulating instruments lacking, knowing the harsh system of incompatibilities and restrictions imposed to such category of staff result in the growth of the number
of the corruption cases in the public administration and therefore in a negative image of the civil servants body.

d) Lack of transparency regarding the salary earnings of the civil servants – using the incentive system

The existence of various forms of additional salary income (incentives) for some public authorities and institutions (Ministry of Public Finance, Ministry of Labor, Social Solidarity and Family, the Audit Office, FNIancial Guard etc.) result in the growth of instability in the civil servants body.

e) Lack of correlation between the salary level and the level of assignments and responsibilities

The current remuneration system applicable to civil servants fails to ensure “equal pay for equal work”. This principle cannot be applied as long as, given the same assignments and responsibilities, civil servants receive different remunerations depending on the level or nature of public authority or institution where they are employed, respectively according to the central and local public administration.

Because of the different remuneration level applied inside the public system, a fluctuation of personnel may be noted not only from the public administration to the privat sector but also inside the public administration, to public authorities and institutions granting various additional salary income. This “artificial mobility” of the civil servants, exclusively caused by the preferential remuneration level, acts in favor of the public authorities and institutions that may benefit of additional salary income and therefore they can recruit and retain specialists, but as a result they destabilize the other public institutions and authorities that find themselves forced to carry on with an insufficient number of staff or with unspecialized staff.

f) Fluctuation of staff within the public administration institutions, as well as between the public administration and the private sector

Because of the reasons listed above, there is little capability to retain civil servants with expertise and high professional performances in public administration and low career enhancement prospects. The direct result thereof is the loss of the specialists acting in the public authorities and institutions and, ultimately, the weakening of the administrative capability of the public institutions to meet their objectives.
Comparative situation

The gross average salary of a specialist performing in the field of financial brokerage amounted in August 2003 to ROL 12,258,194 while the ceiling provided by the law for the civil service for a counsellor acting within a ministry as of October 2003 was ROL 8,250,000.

In the absence of a satisfactory database, no complex research has been made until now with respect to the salary supply. No evaluation has been made with respect to: differences of salaries between the public sector and the private sector, as well as the reasons for resignations tender by many valuable civil servants.

2.3.3 Current institutional capacity of the National Agency of Civil Servants

With 85 budgeted positions, including 69 occupied as of January 1 2004, NACS does not have the required means to fulfil the responsibilities described to it by law.

The challenges referring to the data base are related to:
- the lack of software programs able to manage and provide complex information in real time or with gaps shorter than 15 days;
- the poor involvement of the public authorities and institutions that are bound to transmit the Agency with the data on the civil service positions and civil servants;
- the poor development of the integrated informational system at the public administration level.

The insufficient personnel and the database-related problems largely accounts for the challenges faced by the Agency in achieving effective and efficient management of the civil service and civil servants.

2.4 Activity of the National Agency of Civil Servants in 2003

2.4.1 Regulatory activity

The 2003 Romania Regular Report of the European Commission states that in March 2003 a sweeping revision of the Law No. 188/1999 was undertaken in respect of the Statute of the civil servants, by Adopting the Law no. 161/2003 on specific measures to achieve transparence in exercise of the civil
service positions, of the high civil service positions and in the business environment, prevention and punishment of corruption, which modifies and supplements, inter alia, the Law No. 188/1999.

Moreover, the new provisions referring to the regulations on the incompatibilities and conflicts of interests, as well as the provisions concerning the statement and control of possessions of the civil servants.

The European Commission, in the above-mentioned report, states that this law, as a whole, represents “a significant progress as compared to the previous statute and it provides the legal basis for the professionalization of the public service”. Up until now, the National Agency of Civil Servants has completed this legislative framework by preparing the secondary legislation required for the enforcement of the statutory provisions.

Elements of secondary legislation

- Order of NACS President No. 218/2003 for the approval of the instructions concerning the re-employment of the civil servants, as published in the Official Journal of Romania, Part I, No. 386 din 4 iunie 2003;
- Government Decision No. 730/2003 on the re-employment of the civil servants on the civil service positions corresponding to the category of the high civil servants, as published in the Official Journal of Romania, Part I, No. 478/4.VII.2003;

Moreover, The Agency prepared the draft Law for the approval of the Civil Servants Ethic Code in Romania, which has been approved by the Government and submitted to the Parliament for approval. The draft Government Decision regarding the professional record of the civil servants has been prepared and is currently undergoing the endorsement circuit.

2.4.2 Implementation of the laws
Between May, 25 and June, 15 2003 there was achieved, in accordance with the provisions of art. XVI of the Law No. 161/2003, the notifying of the civil service positions within the local and central public authorities and institutions. The National Agency of Civil Servants issued a favorable notification for a number of 110,426 civil service positions, including 12,134 civil service positions belonging to the category of high civil servants and of the leading civil servants and 98,292 executing civil service positions.

As a result of enforcing the Law No. 188/1999, as amended and completed by the Law No. 161/2003 and of altering the organizational structures, the number of the leading civil service positions has decreased by 8%, therefore savings having been obtained of the state budget and bureaucracy being reduced in addition.

Statistic elements

Throughout 2003 more than 4,600 notifications were issued for the organization of contests for the filing of the vacant civil service positions.

In applying the provisions of art. 86 of the Law No. 188/1999, 89 notifications were issued for the temporary exercise of the leading civil service positions (including 52 notifications for institutions/authorities of the central public administration and 37 notifications for institutions of the local public administration).

2.4.3 Monitoring, control and contentious matters

The Agency has centralized, as based on the information transmitted by the authorities and institutions of the local public administration, the reports on the civil servants falling within the scope of the incompatibilities provided by the Law No. 161/2003.

Throughout 2003 there were settled more than 2,000 petitions, memorandums and addresses submitted to the National Agency of Civil Servants by the public institutions/authorities, trade unions, civil servants and citizens. As regards the unannounced controls, no less than 29 such controls were performed on public authorities and institutions, which have been until now materialized by a number of 25 control reports. The scope of the controls was the verification of the compliance with the contest procedures in place for filling civil service positions and the compliance with the legal Statute of incompatibilities and of conflict of interests.
The most frequent departures from and the breaches of the regulations related to the civil service and civil servants are those referring to the failure to observe the instructions on the employment of the civil servants, as approved by the Order of the President of the National Agency of Civil Servants No. 218/2003. Corrective actions and measures were determined.

As regards the **administrative contentious matters**, currently there are 94 cases on trial by the law courts to which the Agency is a party. In this context, one should note the provisions of art. 21 par. (3) of the Law No. 188/1999 as later amended and completed, which streamline the activity of the National Agency of Civil Servants by introducing an effective legal instrument for the enforcement of the legal provisions concerning the civil service and civil servants: the active court legitimacy.

**Legislative elements**

The Agency is enabled to inform the court of administrative contentious matters on:
- the acts whereby the public authorities and institutions breach the laws related to civil service and civil servants, found as a result of its own controlling activity;
- the denial of the public authorities and institutions to apply the legal provisions in the field of the civil service and of the civil servants.

### 2.4.4 Database

Up until now there have been **collected data** for the determination of the **structure of the civil servants body**, as resulted further to applying the provisions of the Law No. 161/2003, as well as the data concerning the **occupied civil service positions and the vacant civil service positions**. The database also comprises information on the salaries of the civil servants and the training needs of the same.

The structure of the civil servants body is presented in Chapter 3 of the Report. The statistics included in Chapter 3 are compiled on the basis of the data transmitted by the public authorities and institutions of the central and local public administration.

### 2.4.5 Performance of the foreign assistance programs

As part of the National Agency of the Civil Servants foreign assistance programes are performed that help grow the
efficiency within the management of the civil service and civil servants.

**Foreign assistance programs**

1. **Phare RO 0106.04 Project** "Development and implementation of mechanisms for the enforcement of the Law No. 188/1999 on the Statute of the civil servants".
2. **Assistance from SIGMA.**
   The assistance provided by the SIGMA experts materialized in assistance in the development of the chapter dealing with the civil service of the Law No. 161/2003, and in the future such assistance will consist in providing consulting services for the development of the draft unitary civil servants remuneration system.
3. **Assistance from DFID, Great Britain (Department for International Development).** As of the third term III of 2003, a DFID consultant was appointed to support the Agency in the performance of the Phare project, and to provide personal consulting services to the Chairman of the National Agency of the Civil Servants in developing the bill of the remuneration law and of the national plan of civil service occupancy. The assistance will expire in April 2004.
4. **Assistance from the World Bank.**
   The co-operation with the World Bank first started in July 2003 and is targeted at the monitoring on the basis of a set of indices of the progress made in the implementation of the laws on civil service and in improvement of the remuneration received by the civil servants.

2.4.6 **Communication**

In 2003 the communication activity of the National Agency of Civil Servants had the following major objectives:

a) the dissemination of the policies for the reform of the civil service connected to the modification of the primary legislation and of the secondary legislation by the Law 161/2003 and of the Government Decision No. 1209 and 1210 of 29.11.2003
b) promotion of the civil servants ethical code
c) media action for the citizens’ awareness of reform.

**a) Dissemination of the reform measures**

The dissemination of the reform measures into the domain of the public authorities and institutions in the local and central administration was achieved by:
a) focused meeting, at the Agency office, with all the secretaries general and human resources managers employed with the authorities of the central administration on the topic of the modifications and supplemenations introduced to the Statute of the civil servants;
b) focused meetings with all the secretaries general and human resources managers in the local counties on the topic of the modifications introduced into the Statute of the civil servants. The meetings took place at the Agency office and across the territory;
c) meetings with the supervisors of the computerizing services for the implementation of the system of computerized records of civil service positions and of the civil servants;

d) development of guiding materials for the consistent enforcement of the legal provisions and for the management of transition from a regulation to another in the Statute of the civil servants.

b) Promotion of the Ethical code

The promotion of the Ethical Code was achieved through:

a) broadcasting of the press releases concerning the contents of the draft civil servants Ethical Code

b) participation, in partnership with the civil society, in the Code promotion projects

c) development of programs with Radio Romania in the topic of the Ethical Code

c) Media action

The media action was achieved through:

a) more than 60 articles on the civil service;
b) debating programs with the participation of the representatives of the European Union and SIGMA;
c) participation in programs broadcast internationally;
d) organization of 3 press conferences with the participation of the representative civil society and SIGMA experts.

For the purpose of finalizing the drafts regulatory acts developed by the National Agency of Civil Servants debates were organized attended by representatives of the public institutions, of the civil servants’ trade unions, of the civil society, and in the case of the bills of laws experts of the political parties admitted in the Parliament were also consulted. The remarks and proposals that were suitable for the regulations were incorporated in all the draft regulatory acts. The provisions of the Law No. 52/2003 on the transparency of the decision-making process in the public administration were strictly applied.
3 STRUCTURE OF THE CIVIL SERVANTS BODY –STATISTICAL DATA

The enforcement of the management of the civil service and civil servants involves to an ever-growing extent the change and partition of information between various authorities and institutions. From this point of view, the state-of-the-art information and communication technologies constitute the supporting infrastructure for the modernization undertaken in the field of the public administration, facilitating the adjustment of administration to the general requirements of the society, as well as growth of quality (performance) in the decision-making process.

The development of structural analyses, as well as the determination of specific parameters (of a statistic nature) at the level of the entire staff of the civil servants is achieved by employing the data supply provided by the Database of the civil service positions and civil servants. Started at the end of 2002, the NACS database was successively updated throughout 2003, so that it may become compatible to the provisions of the Law No. 161/2003.

Methodological specifications

The abovementioned elements, respectively the structural elements and the statistic parameteres, capable of supporting the development of patterns of the current conditions or forecast of the progress in the field, are affected by factors specific of the public administration system. Such factors include not limitatively: its own inertias (inherent delays as regards the update of data), limited resolution (respectively the existence of an objective tolerance as regards the actual state of the system), the need to employ statistic patterns. Nevertheless, the dynamics of the system acts so that the validity of the conclusions reached on the basis of the statistic parameters keeps within acceptable limits (respectively the potential quantitative differences do not entail qualitative modifications of the system).

For the NACS Database to become an effective tool and an effective support in the decision-making process, NACS made efforts to ensure for itself the updates imposed by the new legal framework and, also, the collection and loading of the data transmitted by the local and central public authorities and institutions was achieved by 31/X/2003. To provide a picture on the magnitude of this effort, we mention that as part of the 3 actions about 4200 public institutions were involved (either directly or indirectly).

The statistic analysis presented below was performed using the information stored in the new version of the database, in accordance with the data transmitted on magnetic support by the public authorities and institutions in the central and local public administration.
Methodological specifications

At the NACS level, the database is a computerized decision-making support that will ensure:

- The recording of the civil servants body
- The basis for the substantiation of the professional training plans inside NIA
- The growth of effectiveness of the methodological support provided by NACS to the public institutions / authorities in the field of human resources
- The forecast management of the civil service positions, competencies and personnel of the civil servants body on the basis of the computerized records
- Optimization of the procedures connected to the running of the contests for the civil service occupancy

Hereinbelow, this chapter presents a series of statistic elements concerning the condition of the civil service positions and of the civil servants for the public authorities and institutions of the central and local public administration.

This undertaking represents a first exercise of analyzing the structure of the civil servants body, to be followed by a systematic activity to this effect, in order to improve both the availability of data and the accuracy of results.

In the sections included in this chapter, the statistical data calculated from the NACS Database are structured into the following analysis categories (criteria):

1) the allocation of the total number of the civil servants and of the personnel (occupation structure), in the entirety of the public administration;
2) allocation as per categories of civil service positions
3) structure in terms of the type of education;
4) the Statute of the debutant civil servants;
5) structure in terms of gender and age groups;
6) structure in terms of professions;
7) structure in terms of cumulated salary entitlements.

The statistical statements are presented in the form of tables, with absolute and relative levels (percentages) for the analyzed parameters, as well as in form of graphical representations.

Methodological specifications

Attached hereto is also included a set of graphical representations related to the statistics considered.
3.1 Allocation of the total number of the civil service positions

The total number of the civil service positions in central and local public administration is 110,426, of which in the central public administration 65,497, representing 59.3%, and in the local public administration 44,929, representing 40.7%. The number of the civil servants must be larger in the local public administration, considering the decentralization, the need for the closeness of the administration to the citizens and the development of the proximity services.

Table 3-1 Allocation of the civil service positions

<table>
<thead>
<tr>
<th>Civil service positions, Total</th>
<th>110 426</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil service positions in the central public administration</td>
<td>65 497</td>
<td>59.31%</td>
</tr>
<tr>
<td>Civil service positions in the local public administration</td>
<td>44 929</td>
<td>40.69%</td>
</tr>
</tbody>
</table>

Table 3-2 Current condition of the civil service occupancy

<table>
<thead>
<tr>
<th>Civil service positions, Total</th>
<th>110 426</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupied civil service positions</td>
<td>97 142</td>
<td>87.97%</td>
</tr>
<tr>
<td>Vacant civil service positions</td>
<td>13 284</td>
<td>12.03%</td>
</tr>
</tbody>
</table>

Graph 3-1 Share of the civil servants

Graph 3-2 Occupancy structure
3.2 Structure in terms of categories of the civil service positions – in the entirety of the public administration

The structure in terms of categories of the civil servants is as follows: the category of the high civil servants – 310 (representing 0.28%), the category of the leading civil servants– 11,824 (representing 10.71%), the category of the executing civil servants– 98,292 (representing 89.01%).

Structure in terms of categories of the civil service positions highlights the substantial share of the category of the executing civil servants (about 9 clerks out of 10); the specific data are included in Table 3-3. The same relative shares are also dispersed at the detail level of the occupied civil service positions (Table 3-3a).

The number of the leading civil service positions has decreased after the enforcement of the provisions of the Law No. 161/2003 from 18.05% to 10.71%, i.e. under the percentage of 12% stipulated by the law, with a reduction of 8% being achieved.

<table>
<thead>
<tr>
<th>Civil service positions, Total</th>
<th>110 426</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil Servants</td>
<td>310</td>
<td>0.28%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>11 824</td>
<td>10.71%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>98 292</td>
<td>89.01%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total</th>
<th>97 142</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil Servants</td>
<td>281</td>
<td>0.29%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>10 400</td>
<td>10.71%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>86 461</td>
<td>89.00%</td>
</tr>
</tbody>
</table>

Graph 3-3 Structure on categories (total)  Graph 3-3a Structure on categories (occupied)
3.3 Structure in terms of classes of the executing civil service positions—in the entirety of the public administration

The structure in terms of classes of the executing civil service positions highlights the fact that, per total (both occupied and vacant civil service positions), half is covered by 1st class civil service positions, and the other half is covered by 2nd and 3rd class civil service positions, with a much more significant share for the 3rd class civil service positions. The actual situation is presented Table 3-4.

Relatively similar shares are also maintained at the detail level of the executing civil service positions actually occupied (see Table 3-4a); however, in the case of the vacant civil service positions, nearly 2/3 of the class civil service positions are 1st class civil service positions and about 1/3 class civil service positions are 3rd class (see Table 3-4b).

Table 3-4 Structure in terms of classes of the executing civil service positions - Total

<table>
<thead>
<tr>
<th>Executing civil service positions, Total</th>
<th>98 292</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st class civil service positions</td>
<td>50 076</td>
<td>50.95%</td>
</tr>
<tr>
<td>2nd class civil service positions</td>
<td>2 770</td>
<td>2.82%</td>
</tr>
<tr>
<td>3rd class civil service positions</td>
<td>45 446</td>
<td>46.24%</td>
</tr>
</tbody>
</table>

Table 3-4a Structure in terms of classes of the executing civil service positions– Occupied civil service positions

<table>
<thead>
<tr>
<th>Occupied executing civil service positions, Total</th>
<th>86 461</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st class civil service positions</td>
<td>42 722</td>
<td>49.41%</td>
</tr>
<tr>
<td>2nd class civil service positions</td>
<td>2 371</td>
<td>2.74%</td>
</tr>
<tr>
<td>3rd class civil service positions</td>
<td>41 368</td>
<td>47.85%</td>
</tr>
</tbody>
</table>

Table 3-4b Structure in terms of classes of the executing civil service positions– Vacant civil service positions

<table>
<thead>
<tr>
<th>Vacant executing civil service positions, Total</th>
<th>11 831</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st class civil service positions</td>
<td>7 354</td>
<td>62.16%</td>
</tr>
<tr>
<td>2nd class civil service positions</td>
<td>399</td>
<td>3.37%</td>
</tr>
<tr>
<td>3rd class civil service positions</td>
<td>4 078</td>
<td>34.47%</td>
</tr>
</tbody>
</table>
3.4 Structure in terms of types of public institutions and authorities – the central public administration

Structure in terms of types of public institutions / authorities of the civil servants in the central public administration indicates a share nearly 20% larger with respect to the civil service positions in the deconcentrated public services.

Table 3-5 Situation of civil service positions in terms of types of institutions / authorities (central public administration) - Total

<table>
<thead>
<tr>
<th>Civil service positions, Total central public administration</th>
<th>65 497</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil service positions in the own machinery of the ministries and of subordinated public institutions</td>
<td>27 284</td>
<td>41.66%</td>
</tr>
<tr>
<td>Civil service positions in the deconcentrated services</td>
<td>38 213</td>
<td>58.34%</td>
</tr>
</tbody>
</table>

Table 3-5a Situation of civil service positions in terms of types of institutions / authorities (central public administration) – Occupied civil service positions

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total central public administration</th>
<th>60 459</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil service positions in the own machinery of the ministries and of subordinated public institutions</td>
<td>24 600</td>
<td>40.69%</td>
</tr>
<tr>
<td>Civil service positions in the deconcentrated services</td>
<td>35 859</td>
<td>59.31%</td>
</tr>
</tbody>
</table>

Table 3-5b Situation of civil service positions in terms of types of institutions / authorities (central public administration) – Vacant civil service positions

<table>
<thead>
<tr>
<th>Vacant civil service positions, Total central public administration</th>
<th>5 038</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil service positions in the own machinery of the ministries and of subordinated public institutions</td>
<td>2 684</td>
<td>53.28%</td>
</tr>
<tr>
<td>Civil service positions in the deconcentrated services</td>
<td>2 354</td>
<td>46.72%</td>
</tr>
</tbody>
</table>

Graph 3-5 Situations in terms of types of institutions (total)

Graph 3-5a Situations in terms of types of institutions (occupied civil service positions)
The structure of occupancy of the civil service positions in the central public administration – own machinery indicates a total number of 27,284 existing civil service positions, with an occupancy degree in excess of 90%; the specific situation extracted from the database is presented in Table 3-6.

Table 3-6 Situation of occupancy of the civil service positions (central publică admin. – own machinery)

<table>
<thead>
<tr>
<th>Civil service positions, Total central public admin. – own machinery</th>
<th>27 284</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupied civil service positions</td>
<td>24 600</td>
<td>90.16%</td>
</tr>
<tr>
<td>Vacant civil service positions</td>
<td>2 684</td>
<td>9.84%</td>
</tr>
</tbody>
</table>

Graph 3-6 Situation of civil service occupancy in the central public admin. (own machinery)

3.5 Structure in terms of categories of the civil service positions – the central public administration

Structure in terms of categories of the civil service positions in the central public administration – own machinery highlights, the same as the general situation, the substantial share of the category of the executing civil servants (about 9 clerks our of 10); the specific data are included in Table 3-7.

Table 3-7 Structure in terms of categories of the civil service positions (central public admin. – own machinery) - Total

<table>
<thead>
<tr>
<th>Civil service positions, Total central public admin.– own machinery</th>
<th>27 284</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil servants</td>
<td>226</td>
<td>0.83%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>2 419</td>
<td>8.87%</td>
</tr>
</tbody>
</table>
The same relative is to be found at the detail level of the *occupied* civil service positions (Table 3-7a), and further at the level of the *vacant* civil service positions (Table3-7b).

**Table 3-7a Structure in terms of categories of the civil service positions (central public admin. – own machinery) – Occupied civil service positions**

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total central public admin.– own machinery</th>
<th>24 600</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil servants</td>
<td>199</td>
<td>0.81%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>2 081</td>
<td>8.46%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>22 320</td>
<td>90.73%</td>
</tr>
</tbody>
</table>

**Table 3-7b Structure in terms of categories of the civil service positions (central public admin. – own machinery) – Vacant civil service positions**

<table>
<thead>
<tr>
<th>Vacant civil service positions, Total central public admin.– own machinery</th>
<th>2 684</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil servants</td>
<td>27</td>
<td>1.01%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>338</td>
<td>12.59%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>2 319</td>
<td>86.40%</td>
</tr>
</tbody>
</table>
3.6 Structure in terms of categories of the civil service positions – deconcentrated public services

Structure in terms of categories of the civil service positions in the central public administration – **deconcentrated services** highlights, the same as the general situation, the substantial share of the category of the executing civil servants (about 9 clerks out of 10); the specific data are included in Table 3-8.

<table>
<thead>
<tr>
<th>Civil service positions, Total central public admin. – deconcentrated services</th>
<th>38 213</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of Leading Civil service positions</td>
<td>4 118</td>
<td>10.78%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>34 095</td>
<td>89.22%</td>
</tr>
</tbody>
</table>

The same relative significance is to be found with the detail level of the *occupied* civil service positions (Table 4-2a), but not at the level of the *vacant* civil service positions (Table 4-2b).

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total central public admin. – deconcentrated services</th>
<th>35 859</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of Leading Civil service positions</td>
<td>3 570</td>
<td>9.96%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>32 289</td>
<td>90.04%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vacant civil service positions, Total central public admin. – deconcentrated services</th>
<th>2 354</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of Leading Civil service positions</td>
<td>548</td>
<td>23.28%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>1 806</td>
<td>76.72%</td>
</tr>
</tbody>
</table>

---

**Graph 3-8 Structure in terms of categories, central admin., deconcentrated services - Total**

**Graph 3-8a Structure in terms of categories, central admin., deconcentrated services - Occupied**

**Graph 3-8b Structure in terms of categories, central admin., deconcentrated services - Vacant**
3.7 Structure in terms of classes of the executing civil service positions—deconcentrated public services

Structure in terms of classes of the executing civil service positions in the central public administration – deconcentrated services highlights that, all in all (both occupied and vacant civil service positions), half of them are 1st class, as the other half is IIInd and IIIrd class civil service positions, with a significant share of the IIIrd class civil service positions. The detailed situation is presented in detail in Table 3-9.

Relatively similar shares are also maintained at the detail level of the executing civil service positions actually occupied (see Table 3-9a); however, in the case of the vacant civil service positions, nearly 3/4 of the positions go to the 1st class civil service positions and cca. 1/4 go to the IIIrd class civil service positions (see Table 3-9b).

### Table 3-9 Structure in terms of classes of the executing civil service positions (central public admin. – deconcentrated services) - Total

<table>
<thead>
<tr>
<th>Executing civil service positions, Total central public admin. – deconcentrated services</th>
<th>34 095</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st class civil service positions</td>
<td>17 507</td>
<td>51.35%</td>
</tr>
<tr>
<td>IIInd class civil service positions</td>
<td>443</td>
<td>1.30%</td>
</tr>
<tr>
<td>IIIrd class civil service positions</td>
<td>16 145</td>
<td>47.35%</td>
</tr>
</tbody>
</table>

### Table 3-9a Structure in terms of classes of the executing civil service positions (central public admin. – deconcentrated services) – Occupied civil service positions

<table>
<thead>
<tr>
<th>Executing civil service positions ocupate, Total central public admin. – serv. Deconcentrate</th>
<th>32 289</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st class civil service positions</td>
<td>16 149</td>
<td>50.02%</td>
</tr>
<tr>
<td>IIInd class civil service positions</td>
<td>424</td>
<td>1.31%</td>
</tr>
<tr>
<td>IIIrd class civil service positions</td>
<td>15 713</td>
<td>48.67%</td>
</tr>
</tbody>
</table>

### Table 3-9b Structure in terms of classes of the executing civil service positions (central public admin. – deconcentrated services) – Vacant civil service positions

<table>
<thead>
<tr>
<th>Executing civil service positions vacante, Total central public admin. – serv. deconcentrate</th>
<th>1 806</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st class civil service positions</td>
<td>1 356</td>
<td>75.04%</td>
</tr>
<tr>
<td>IIInd class civil service positions</td>
<td>19</td>
<td>1.05%</td>
</tr>
<tr>
<td>IIIrd class civil service positions</td>
<td>432</td>
<td>23.91%</td>
</tr>
</tbody>
</table>
3.8 Debutant and permanent civil servants – deconcentrated public services

The situation of the civil servants in the central public administration – deconcentrated services, from the viewpoint of classification into debutant or permanent civil servants is, per total, characterized by a very small share (about 1.5%) of the debutant civil servants, as showed in Table 3-10.

<table>
<thead>
<tr>
<th>Civil service positions, Total central public admin. – deconcentrated services</th>
<th>38 213</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>558</td>
<td>1.46%</td>
</tr>
<tr>
<td>Permanent</td>
<td>37 655</td>
<td>98.54%</td>
</tr>
</tbody>
</table>

As regards the occupied civil service positions, the debutant civil servants debutanți cover a very low percentage, of about 1% (specific data are presented in Table 3-10a). However, the share of the debutant civil servants is substantially larger at the level of the vacant civil service positions, respectively cca. 8% (as in Table 3-10b).

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total central public admin. – deconcentrated services</th>
<th>35 859</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>369</td>
<td>1.03%</td>
</tr>
<tr>
<td>Permanent</td>
<td>35 490</td>
<td>98.97%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vacant civil service positions, Total central public admin. – deconcentrated services</th>
<th>2 354</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>189</td>
<td>8.03%</td>
</tr>
<tr>
<td>Permanent</td>
<td>2 165</td>
<td>91.97%</td>
</tr>
</tbody>
</table>
3.9 Structure in terms of age groups and gender – deconcentrated public services

Structure in terms of age groups and gender of the civil servants in the central public administration – deconcentrated services indicates certain interest polarizations for the demographic evolution of the civil servants body: both for males and for females the maximum contingent is placed in the "31 – 35 year olds" and "46 – 50 year olds" age groups, values situated in a span of 80 – 90% of such maximum values being also recorded for the adjacent and intermediary groups. The detailed situation is presented Table 3-11. (Please be reminded that the female civil servants are responsible for a share of 2/3 of the total number of civil servants – as in Table 3-23).

Table 3-11 Structure in terms of age groups and gender of the occupied civil service positions (central public admin. – deconcentrated services)

<table>
<thead>
<tr>
<th>Age group / Gender</th>
<th>&lt;19</th>
<th>19-25 years</th>
<th>26-30 years</th>
<th>31-35 years</th>
<th>36-40 years</th>
<th>41-45 years</th>
<th>46-50 years</th>
<th>51-55 years</th>
<th>56-60 years</th>
<th>&gt;60 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graphical index</td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
<td>(6)</td>
<td>(7)</td>
<td>(8)</td>
<td>(9)</td>
<td>(10)</td>
</tr>
<tr>
<td>Males</td>
<td>2</td>
<td>334</td>
<td>1841</td>
<td>1521</td>
<td>1199</td>
<td>1327</td>
<td>1939</td>
<td>2100</td>
<td>926</td>
<td>246</td>
</tr>
<tr>
<td>Females</td>
<td>1</td>
<td>835</td>
<td>4247</td>
<td>4905</td>
<td>3913</td>
<td>3656</td>
<td>4016</td>
<td>2530</td>
<td>319</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>3</td>
<td>1169</td>
<td>6088</td>
<td>6426</td>
<td>5112</td>
<td>4983</td>
<td>4630</td>
<td>1245</td>
<td>251</td>
<td></td>
</tr>
<tr>
<td>Percentage (*)</td>
<td>0%</td>
<td>3.25%</td>
<td>16.97%</td>
<td>17.92%</td>
<td>14.25%</td>
<td>13.89%</td>
<td>16.60%</td>
<td>12.91%</td>
<td>3.47%</td>
<td>0.69%</td>
</tr>
</tbody>
</table>

(* Total number of civil servants: 35 859)
Below the **entire group of the local public authorities** is dealt with. There are included statistical situations related to: structure of occupancy of the civil service positions, structure in terms of categories of the civil service positions, structure in terms of gender of the occupied positions, structure in terms of classes of the civil service positions, situation of the debutant civil servants, structure in terms of age groups and gender of the occupied positions.

### 3.10 Structure of the civil service positions occupancy – the local public administration

Structure of the civil service positions occupancy in the local public administration points out a total number of 44,929 existing civil service positions, with an occupancy degree slightly higher than 80%; the specific situation extracted from database is presented in Table 3-12.

**Table 3-12 Situation of the civil service positions occupancy (local public admin.)**

<table>
<thead>
<tr>
<th>Civil service positions, Total local public admin.</th>
<th>44,929</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupied civil service positions</td>
<td>36,683</td>
<td>81.65%</td>
</tr>
<tr>
<td>Vacant civil service positions</td>
<td>8,246</td>
<td>18.35%</td>
</tr>
</tbody>
</table>

### 3.11 Structure in terms of categories of the civil service positions – the local public administration

Structure in terms of categories of the civil service positions in the local public administration highlights, the same as the general situation, the substantial share of the category of the executing civil servants (nearly 9 clerks out of 10); the specific data are included in Table 3-13.

**Table 3-13 Structure in terms of categories of the civil service positions (local public admin.) - Total**

<table>
<thead>
<tr>
<th>Civil service positions, Total local public admin.</th>
<th>44,929</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil Servants</td>
<td>84</td>
<td>0.19%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>5,287</td>
<td>11.76%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>39,558</td>
<td>88.05%</td>
</tr>
</tbody>
</table>

The relative significance of the category of the executing civil servants la at the detail level of the occupied civil service positions (Table 3-13a) has a slightly lower value (cca. 87%), whereas the corresponding weight at the level of the vacant civil service positions (Table 3-13b) is higher than 93%.
Table 3-13a Structure in terms of categories of the civil service positions (local public admin.) – Occupied civil service positions

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total local public admin.</th>
<th>36 683</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil Servants</td>
<td>82</td>
<td>0.22%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>4 749</td>
<td>12.95%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>31 852</td>
<td>86.83%</td>
</tr>
</tbody>
</table>

Table 3-13b Structure in terms of categories of the civil service positions (local public admin.) – Vacant civil service positions

<table>
<thead>
<tr>
<th>Vacant civil service positions, Total local public admin.</th>
<th>8 246</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of High Civil Servants</td>
<td>2</td>
<td>0.02%</td>
</tr>
<tr>
<td>Category of Leading Civil service positions</td>
<td>538</td>
<td>6.52%</td>
</tr>
<tr>
<td>Category of Executing Civil service positions</td>
<td>7 706</td>
<td>93.45%</td>
</tr>
</tbody>
</table>

3.12 Structure in terms of gender – the local public administration

Structure in terms of gender of the occupied civil service positions in the local public administration indicates that a share of cca. 2/3 of the civil servants consists of females, as shown in Table 3-14.

Table 3-14 Structure in terms of gender of the occupied civil service positions (local public admin.)

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total local public admin.</th>
<th>36 683</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male civil servants</td>
<td>12 627</td>
<td>34.42%</td>
</tr>
<tr>
<td>Female civil servants</td>
<td>24 056</td>
<td>65.58%</td>
</tr>
</tbody>
</table>

3.13 Structure in terms of classes of the executing civil service positions – the local public administration

Structure in terms of classes of the executing civil service positions in the local public administration singles out the fact that, all in all (occupied and vacant
Civil service positions, more than half of the civil service positions are IIIrd class (about 56%), the rest being Ist and IIInd class civil service positions, with a substantial share (almost 40%) for the Ist class positions. The detailed situation is presented in Table 3-15.

Relatively similar shares, even slightly higher, are also maintained at the detail level of the effectively occupied executing civil service positions (see Table 3-15a); however, in the case of the vacant civil service positions, nearly most than half of the posts go to the Ist class positions (52%) and cca. 40% to the IIIrd class positions (see Table 3-15b).

### Table 3-15 Structure in terms of classes of the executing civil service positions (local public admin.) - Total

<table>
<thead>
<tr>
<th>Executing civil service positions, Total local public admin.</th>
<th>39 558</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ist class civil service positions</td>
<td>15 664</td>
<td>39.60%</td>
</tr>
<tr>
<td>IIInd class civil service positions</td>
<td>1 725</td>
<td>4.36%</td>
</tr>
<tr>
<td>IIIrd class civil service positions</td>
<td>22 169</td>
<td>56.04%</td>
</tr>
</tbody>
</table>

### Table 3-15a Structure in terms of classes of the executing civil service positions (local public admin.) – Occupied civil service positions

<table>
<thead>
<tr>
<th>Occupied executing civil service positions, Total local public admin.</th>
<th>31 852</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ist class civil service positions</td>
<td>11 652</td>
<td>36.58%</td>
</tr>
<tr>
<td>IIInd class civil service positions</td>
<td>1 388</td>
<td>4.36%</td>
</tr>
<tr>
<td>IIIrd class civil service positions</td>
<td>18 812</td>
<td>59.06%</td>
</tr>
</tbody>
</table>

### Table 3-15b Structure in terms of class of the executing civil service positions (local public admin.) – Vacant civil service positions

<table>
<thead>
<tr>
<th>Executing civil service positions vacante, Total local public admin.</th>
<th>7 706</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ist class civil service positions</td>
<td>4 012</td>
<td>52.06%</td>
</tr>
<tr>
<td>IIInd class civil service positions</td>
<td>337</td>
<td>4.37%</td>
</tr>
<tr>
<td>IIIrd class civil service positions</td>
<td>3 357</td>
<td>43.56%</td>
</tr>
</tbody>
</table>

### 3.14 Debutant and permanent civil servants – the local public administration
The situation of the civil servants in the local public administration, from the viewpoint of classification into debutant or permanent civil servants is per total characterized by a share of cca. 5.5% of the debutant civil servants, as shown in Table 3-16.

### Table 3-16 Statute of the civil service positions (local public admin.) - Total

<table>
<thead>
<tr>
<th>Civil service positions, Total local public admin.</th>
<th>44 929</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>2 491</td>
<td>5.54%</td>
</tr>
<tr>
<td>Permanent</td>
<td>42 438</td>
<td>94.46%</td>
</tr>
</tbody>
</table>

As regards the occupied civil service positions, the debutant civil servants are responsible for a lower percentage, of cca. 2% (specific data are presented in Table 3-16a). The share of the debutant civil servants is nevertheless substantially larger at the level of the vacant civil service positions, respectively cca. 20% (as shown in Table 3-16b).

### Table 3-16a Statute of the civil service positions (local public admin.) – Occupied civil service positions

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total local public admin.</th>
<th>36 683</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>825</td>
<td>2.25%</td>
</tr>
<tr>
<td>Permanent</td>
<td>35 858</td>
<td>97.75%</td>
</tr>
</tbody>
</table>

### Table 3-16b Statute of the civil service positions (local public admin.) – Vacant civil service positions

<table>
<thead>
<tr>
<th>Vacant civil service positions, Total local public admin.</th>
<th>8 246</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>1 666</td>
<td>20.20%</td>
</tr>
<tr>
<td>Permanent</td>
<td>6 580</td>
<td>79.80%</td>
</tr>
</tbody>
</table>

### 3.15 Structure in terms of age groups and gender – the local public administration

Structure in terms of age groups and gender of the civil servants in the local public administration indicates certain interest polarizations for the demographic evolution of the civil servants body: both for males and for males the maximum
contingents are placed in the "31 – 35 year olds" and "46 – 50 year olds" age groups, i.e. values ranging between a span of 80 – 90% of such maximum values being also valid for the adjacent and intermediary groups. The detailed situation is presented in Table 3-17. (be reminded that the female civil servants hold a share of 2/3 of the total number of civil servants – as shown in Table 3-23).

Table 3-17 Structure in terms of age groups and gender of the occupied civil service positions (local public admin.)

<table>
<thead>
<tr>
<th>Age group / Gender</th>
<th>&lt;19 years</th>
<th>19-25 years</th>
<th>26-30 years</th>
<th>31-35 years</th>
<th>36-40 years</th>
<th>41-45 years</th>
<th>46-50 years</th>
<th>51-55 years</th>
<th>56-60 years</th>
<th>&gt;60 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group index</td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
<td>(6)</td>
<td>(7)</td>
<td>(8)</td>
<td>(9)</td>
<td>(10)</td>
</tr>
<tr>
<td>Males</td>
<td>0</td>
<td>365</td>
<td>1407</td>
<td>1727</td>
<td>1502</td>
<td>1768</td>
<td>2119</td>
<td>2313</td>
<td>1156</td>
<td>285</td>
</tr>
<tr>
<td>Females</td>
<td>3</td>
<td>962</td>
<td>3431</td>
<td>4471</td>
<td>3992</td>
<td>3955</td>
<td>3973</td>
<td>2793</td>
<td>411</td>
<td>50</td>
</tr>
<tr>
<td>Total</td>
<td>3</td>
<td>1327</td>
<td>4838</td>
<td>6198</td>
<td>5494</td>
<td>5723</td>
<td>6092</td>
<td>5106</td>
<td>1567</td>
<td>335</td>
</tr>
<tr>
<td>Percentage(*)</td>
<td>0%</td>
<td>3.61%</td>
<td>13.18%</td>
<td>16.92%</td>
<td>15.00%</td>
<td>15.60%</td>
<td>16.60%</td>
<td>13.91%</td>
<td>4.27%</td>
<td>0.91%</td>
</tr>
</tbody>
</table>

(*) Total number of civil servants: 36 683
3.16 Structure in terms of the type of education – the entire body of the public administration

As regards the type of education, considering the entire body of the public administration, the percentage of the civil servants with higher education is 54% and the percentage of the civil servants with high school education is 46%.

Structure in terms of types of education of the civil servants is presented in Table 3-18.

Causes:
The number of the civil servants with higher education is lower in the local public administration (41%), where the majority consists of civil servants with high school education (59%), because of the unattractive compensation and of lack of a system of facilities intended to attract higher education graduates.

Table 3-18 Structure in terms of types of education

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total</th>
<th>97 142</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long term higher education</td>
<td>53 403</td>
<td>54.97%</td>
</tr>
<tr>
<td>Short term higher education</td>
<td>2 371</td>
<td>2.44%</td>
</tr>
<tr>
<td>High school education</td>
<td>41 368</td>
<td>42.59%</td>
</tr>
</tbody>
</table>

Graph 3-18 Structure in terms of types of education

- Funcţionari publici care au studii superioare de lungă durată
- Funcţionari publici care au studii superioare de scurtă durată
- Funcţionari publici care au studii medii liceale sau postliceale
3.17 Situation regarding the leading civil service positions— the entire body of the public administration

As regards the occupied civil service positions, in the entire body of the civil servants there is a total of 10,681 occupied leading civil service positions, the shares occupied by the civil servants in terms of gender, respectively females and males being roughly the same, with a number of 5,538 females officers and a number of 5,143 male officers.

<table>
<thead>
<tr>
<th>Civil service positions de conducere</th>
<th>10 681</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female civil servants</td>
<td>5 538</td>
<td>51.85%</td>
</tr>
<tr>
<td>Male civil servants</td>
<td>5 143</td>
<td>48.15%</td>
</tr>
</tbody>
</table>

A detailed analysis concerning the civil servants aged 35 or younger indicates a total of 32,899 officers, including 23,540 females and 9,359 males, with the percentage share of the women being higher than 70%.

If, besides the condition of “age” (35 years old or younger) the condition of “civil service positions de conducere” adds to the analysis criterium, there is found a total number of 1,779 civil servants, divided according to their gender into: 1,135 (63.80%) females and 644 (36.20%) males.

The share of the civil aged 35 or younger in the total number of officers holding leading civil service positions is 16.65%.
Table 3-20 Situation of civil servants aged under 35

<table>
<thead>
<tr>
<th>Civil servants, Total</th>
<th>32 899</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female civil servants</td>
<td>23 540</td>
<td>71.55%</td>
</tr>
<tr>
<td>Male civil servants</td>
<td>9 359</td>
<td>28.45%</td>
</tr>
</tbody>
</table>

Table 3-21 Situation of the leading civil service positions, civil servants aged under 35

<table>
<thead>
<tr>
<th>Civil servants holding leading civil service positions, Total</th>
<th>1 779</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female civil servants</td>
<td>1 135</td>
<td>63.80%</td>
</tr>
<tr>
<td>Male civil servants</td>
<td>644</td>
<td>36.20%</td>
</tr>
</tbody>
</table>

Graph 3-20 Structure of the civil service positions in terms of gender, civil servants aged under 35

Total civil servants, aged 35 or younger

Leading civil service positions, officers aged 35 or younger
3.18 Situation of the debutant civil servants – the entire body of the public administration

Situation of the civil servants from the viewpoint of their classification into *debutant* or *permanent* civil servants is characterized, per total, by a very small share (slightly more than 3%) of the related positions of the *debutant* civil servants (as shown in Table 3-22) given that the law provides for a percentage of maximum 10% of the total of the civil service positions.

As regards the occupied civil service positions, the debutant civil servants are responsible for a very low percentage, about 1.5% (specific data are presented in Table 3-22a). The share of the positions related to the debutant civil servants is nevertheless substantially larger at the level of the vacant civil service positions, respectively cca. 16%.

**Causes:**
- The compensation system (the compensation level of a debutant civil servant is most of the times equal to the gross minimum salary in the economy, while there is no effective differentiation according to the level of education, which discourages graduates to participate in the contests arranged in the public institutions);
- The complicated system of the career in public office, prior to the modification of the Law No. 188/1999 by enforcement of the Law No. 161/2003;
- The difficult conditions in the rural environment (for instance, making housing available).

**Table 3-22 Statute of the civil service positions - Total**

<table>
<thead>
<tr>
<th>Civil service positions, Total</th>
<th>110 426</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>3 566</td>
<td>3.23%</td>
</tr>
<tr>
<td>Permanent</td>
<td>106 860</td>
<td>96.77%</td>
</tr>
</tbody>
</table>

**Table 3-22a Statute of the civil service positions – Occupied civil service positions**

<table>
<thead>
<tr>
<th>Occupied civil service positions, Total</th>
<th>97 142</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debutant</td>
<td>1 435</td>
<td>1.48%</td>
</tr>
<tr>
<td>Permanent</td>
<td>95 707</td>
<td>98.52%</td>
</tr>
</tbody>
</table>

**Graph 3-22 Structure according to "permanent/ debutant" Statute**
3.19 Structure in terms of age groups in the entire body of the public administration

Structure in terms of age groups of the civil servants body highlights a significant difference between the number of the civil servants aged between 18-30 including also the number of the civil servants aged up to 31- 65, to the detriment of the former category.

**Cause:** lack of a compensation system motivating the young civil servants and provide their financial independence, individual professional, social and familial development.

### Table 3-23 Structure in terms of age groups and gender of the occupied civil service positions

<table>
<thead>
<tr>
<th>Grupa de vârstă / Gender</th>
<th>&lt;19 years</th>
<th>19-25 years</th>
<th>26-30 years</th>
<th>31-35 years</th>
<th>36-40 years</th>
<th>41-45 years</th>
<th>46-50 years</th>
<th>51-55 years</th>
<th>56-60 years</th>
<th>&gt;60 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group index</td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
<td>(6)</td>
<td>(7)</td>
<td>(8)</td>
<td>(9)</td>
<td>(10)</td>
</tr>
<tr>
<td>Males</td>
<td>2</td>
<td>834</td>
<td>4026</td>
<td>4499</td>
<td>4037</td>
<td>4428</td>
<td>5828</td>
<td>6580</td>
<td>3404</td>
<td>869</td>
</tr>
<tr>
<td>Females</td>
<td>5</td>
<td>2179</td>
<td>9473</td>
<td>11881</td>
<td>10000</td>
<td>9929</td>
<td>10630</td>
<td>7368</td>
<td>1103</td>
<td>67</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7</strong></td>
<td><strong>3013</strong></td>
<td><strong>13499</strong></td>
<td><strong>16380</strong></td>
<td><strong>14037</strong></td>
<td><strong>14357</strong></td>
<td><strong>16458</strong></td>
<td><strong>13948</strong></td>
<td><strong>4507</strong></td>
<td><strong>936</strong></td>
</tr>
<tr>
<td><strong>Percentage</strong>(*)</td>
<td>0</td>
<td>3.10%</td>
<td>13.89%</td>
<td>16.87%</td>
<td>14.45%</td>
<td>14.78%</td>
<td>16.95%</td>
<td>14.36%</td>
<td>4.64%</td>
<td>0.96%</td>
</tr>
</tbody>
</table>

(*) Total number of occupied civil service positions: 97 142

**Graph 3-23 Structure in terms of age groups and gender**
3.20 Structure in terms of professions of the civil servants body

Structure in terms of professions of the civil servants reflects an obvious polarization around the professions of economist (17,537) and engineer (18,816), to the detriment of the civil servants with education in the public administration (407), legal sciences (4,268) or sociology and psychology (223).

Causes:
- The competition by the private system, much more stimulating (in the financial and banking field, a legal advisor with 1 year length of service, has a gross monthly income of about ROL 12,250,000 lei, while a legal advisor working in the machinery of a ministry, with the same length of service, has a salary of about ROL 3,900,000).
- Competition by other sectors of the public system (judicial authorities, Audit Office etc.).

Considering the nature of the activities performed by civil servants, as well as the preponderance of the technical specializations, we deem there is a need for a balance between the abovementioned professions anterior, achievable by attracting legal advisors, statisticians, sociologists and other specialists, in order to achieve the general and/or specific competencies provided by the law for the public authorities and institutions.

Table 3-24 Structure in terms of professions of the occupied civil service positions

<table>
<thead>
<tr>
<th>Graphical Index</th>
<th>Profession</th>
<th>No. of officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Economists</td>
<td>17 537</td>
</tr>
<tr>
<td>2</td>
<td>Engineers, total</td>
<td>18 816</td>
</tr>
<tr>
<td>3</td>
<td>Agronomist Engineers</td>
<td>4 425</td>
</tr>
<tr>
<td>4</td>
<td>Geodesist Engineer</td>
<td>89</td>
</tr>
<tr>
<td>5</td>
<td>Engineers of a different specialization</td>
<td>14 302</td>
</tr>
<tr>
<td>6</td>
<td>Legal advisors</td>
<td>4 268</td>
</tr>
<tr>
<td>7</td>
<td>MDs</td>
<td>626</td>
</tr>
<tr>
<td>8</td>
<td>Veterinary MDs</td>
<td>1 849</td>
</tr>
<tr>
<td>9</td>
<td>Teachers</td>
<td>3 279</td>
</tr>
<tr>
<td>10</td>
<td>Individuals with a specialist background in public administration</td>
<td>407</td>
</tr>
<tr>
<td>11</td>
<td>Social workers</td>
<td>94</td>
</tr>
<tr>
<td>12</td>
<td>Sociologists and Psychologists</td>
<td>223</td>
</tr>
<tr>
<td>13</td>
<td>Other professions</td>
<td>6 304</td>
</tr>
</tbody>
</table>
Graph 3-24 Structure in terms of professions

- Specializations
- Number

<table>
<thead>
<tr>
<th>Specializations</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>17337</td>
</tr>
<tr>
<td>2</td>
<td>14302</td>
</tr>
<tr>
<td>3</td>
<td>4425</td>
</tr>
<tr>
<td>4</td>
<td>4268</td>
</tr>
<tr>
<td>5</td>
<td>89</td>
</tr>
<tr>
<td>6</td>
<td>626</td>
</tr>
<tr>
<td>7</td>
<td>1849</td>
</tr>
<tr>
<td>8</td>
<td>3279</td>
</tr>
<tr>
<td>9</td>
<td>407</td>
</tr>
<tr>
<td>10</td>
<td>94</td>
</tr>
<tr>
<td>11</td>
<td>223</td>
</tr>
<tr>
<td>12</td>
<td>6304</td>
</tr>
</tbody>
</table>
3.21 Situations of salaries in the entire civil servants body

According to the data transmitted by the National Agency of the Civil Servants by the public authorities and institutions by the end of 2003, **49% of the total number of the civil servants had salaries ranging between ROL 2,600,000 and 4,000,000.** A percentage of **64.81%** of the total number of the civil servants had a basic salary amounting to **up to ROL 5,000,000 lei.** Consequences:

- The percentage of 12-16% of vacant civil service positions of the total number of the civil service positions
- Fluctuation of personnel from the public administration to the private sector, given that the required length of service to access to a executing and leading civil servicewas significantly reduced;
- Lack of motivation of the civil servants;
- Major difficulties in attracting specialists to the public administration.

<table>
<thead>
<tr>
<th>Group index</th>
<th>Salary groups</th>
<th>No. of officers</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Up to ROL 3 000 000</td>
<td>10262</td>
<td>10.56</td>
</tr>
<tr>
<td>2</td>
<td>3 000 001 – 4 000 000</td>
<td>37776</td>
<td>38.89</td>
</tr>
<tr>
<td>3</td>
<td>4 000 001 – 5 000 000</td>
<td>14939</td>
<td>15.38</td>
</tr>
<tr>
<td>4</td>
<td>5 000 001 – 6 000 000</td>
<td>14059</td>
<td>14.47</td>
</tr>
<tr>
<td>5</td>
<td>6 000 001 – 7 000 000</td>
<td>10513</td>
<td>10.82</td>
</tr>
<tr>
<td>6</td>
<td>7 000 001 – 8 000 000</td>
<td>6508</td>
<td>6.70</td>
</tr>
<tr>
<td>7</td>
<td>8 000 001 – 9 000 000</td>
<td>1823</td>
<td>1.88</td>
</tr>
<tr>
<td>8</td>
<td>9 000 001 – 10 000 000</td>
<td>346</td>
<td>0.36</td>
</tr>
<tr>
<td>9</td>
<td>10 000 001 – 11 000 000</td>
<td>247</td>
<td>0.25</td>
</tr>
<tr>
<td>10</td>
<td>11 000 001 – 12 000 000</td>
<td>213</td>
<td>0.22</td>
</tr>
<tr>
<td>11</td>
<td>12 000 001 – 13 000 000</td>
<td>174</td>
<td>0.18</td>
</tr>
<tr>
<td>12</td>
<td>13 000 001 – 14 000 000</td>
<td>47</td>
<td>0.05</td>
</tr>
<tr>
<td>13</td>
<td>14 000 001 – 15 000 000</td>
<td>13</td>
<td>0.01</td>
</tr>
<tr>
<td>14</td>
<td>15 000 001 – 16 000 000</td>
<td>36</td>
<td>0.04</td>
</tr>
<tr>
<td>15</td>
<td>16 000 001 – 17 000 000</td>
<td>21</td>
<td>0.02</td>
</tr>
<tr>
<td>16</td>
<td>17 000 001 – 18 000 000</td>
<td>21</td>
<td>0.02</td>
</tr>
<tr>
<td>17</td>
<td>18 000 001 – 19 000 000</td>
<td>90</td>
<td>0.09</td>
</tr>
<tr>
<td>18</td>
<td>19 000 001 – 20 000 000</td>
<td>4</td>
<td>0.00</td>
</tr>
<tr>
<td>19</td>
<td>20 000 001 – 25 000 000</td>
<td>9</td>
<td>0.01</td>
</tr>
<tr>
<td>20</td>
<td>Higher than ROL 25 000 000</td>
<td>41</td>
<td>0.04</td>
</tr>
</tbody>
</table>
Graph 3-25 Structure in terms of salary groups
3.22 Situation of command of foreign languages— the entire body of the public administration

Situation of the command of foreign languages by the civil servants is graphically represented separately for the "reading, speaking, writing" skills, as quantified by a scale ranging from "1" (fair) to "5" (excellent).

Graph 3-26a Command of foreign languages

Situation of the foreign languages commanded by the civil servants (reading)
Graph 3-26b Command of foreign languages

Situation of the foreign languages commanded by the civil servants (speaking)

Graph 3-26c Command of foreign languages

Situation of the foreign languages commanded by the civil servants (writing)
4 PROSPECTS AND PROPOSALS

4.1 Prospects

The main objective in the field of the civil service reform is the creation of a professional, responsible and impartial, merit-based public service.

The medium-term specific objectives in this field, with a direct impact on the management of the civil service and of the civil servants, are as follows:

Objectives

a. Introduction of the performance management and the development of a citizen-oriented civil service;
b. The development of the institutional capacity of the Agency to create, implement, monitor and co-ordinate the enforcement of the policies concerning human resources management in the civil service system;
c. The development of the capability to plan human resources by creating the integrated informational system;
d. Creation and implementation of a position evaluation system and of a system for the remuneration of the civil servants to be motivating, simple and transparent that should also reflect the importance of the activities performed, permit the attraction of competent officers and be affordable;
e. Creation and implementation of a merit-based system for the recruitment and promotion in civil service;
f. Establishment of performance and conduct standards for civil servants;
g. Identification of the training needs, preparation and enhancement of the civil servants in order to streamline the public authorities and institutions;
h. Improvement of the communication between the public authorities and institutions and the beneficiaries of the services provided by them.

4.2 Proposals

Considering the information included in this report, both in the Chapter concerning the diagnosis of the system, and in the chapter dealing with the achievements in the field, we are in a position to identify priorities for the following period so that the management of the civil service system may be improved.

1. Improvement of the recruitment and promotion system

Proposals
2. The rights and obligations of the civil servants

Proposals

a) Remuneration of the civil servants
The new approaches and tendencies going on in the modern management are mainly based on the creation and implementation of a new staff motivating system in order to achieve the objectives at the high levels of the performance indexes. The process of motivating the staff in the public administration must simultaneously meet multiple requirements:

- be complex, in the sense of the combined use of both material and moral incentives, in consideration of the main factors involved, both endogenous and exogenous, of the public administration;
- be differentiated, i.e. the motivations considered and their use should take into account the characteristics of each individual and each staff, to ensure that an utmost participation is obtained in the determination and achievement of the intended objectives;
- be gradual, i.e. it should successively meet the needs of the staff and in tight correlation with their contribution, taking into account the interdependences between the various types of needs.

In such framework, the development and implementation of a unitary system of remuneration for the civil servants i.e. motivating, simple and transparent, to reflect the importance of the activities performed, enable the attraction of competence officers and be affordable, is a priority for the reform of the public office. Both the European Commission and the foreign consultants providing assistance to the Agency advocate the development in 2004, of a unitary motivating remuneration system for the civil servants, enforceable as of January 1, 2005. This system will be developed by the National Agency of Civil Servants, along with the Ministry of Public Finance and Ministry of Labor, Social Solidarity and Family, on the basis of the
recommendations of the consultants of SIGMA, DFID, of the World Bank and consulting the social dialogue partners. We mention that the Agency currently benefits of a PHARE program, and the basic element of such program refers to the very revision of the remuneration system.

b) **The adoption of the civil servants Ethical Code** and the development of a procedures handbook concerning the enforcement of the civil servants Ethical Code.

c) **The development of a procedures handbook concerning the enforcement of the disciplinary regulations.**

### 3. Training of the civil servants

In the field of the **professional training**, the Law **No. 188/1999** as later amended and completed laid down the **right and obligation** of the civil servants to attend **at least 7 days** of professional training. In order to minimize the costs incurred by the training courses for civil servants organized by the National Institute of Administration, there may be considered **less costly training alternatives** (for instance: organization of a nationwide network of trainers in order to achieve on-the-job training or the introduction of on-line training courses via the computer system existing in the public administration.

**Proposals**

The proposals in this field for the next period envisage:
- performing an analysis concerning the **prioritary training needs**:  
  - specific training, for each individual ministry, according to the individual challenges related for instance to: environment, land planning, social assistance etc.;  
  - general training, for all civil servants, in subjects such as: law, human resources management, computer science, office management, foreign languages etc.
- performing an analysis concerning the **training supply**, that should provide data on: the training field, the level where such training is to be achieved, location, accommodation capabilities;
- development and implementation of standards for the training programs;
- performing a most accurate analysis concerning the costs incurred by training, that should take into account that the costs vary according to the individual training fields;
- definition of the modalities used to materialize and finalize training (examination, paper, dissertation followed by awarding of diplomas, certificates etc.)
- consulting the civil servants with regard to their **own options** in training, in compliance with the principle stating that the final decision is always made by the hierarchical superior taking into account the needs of the public authority or institution;
- allocation as part of the public budgets of special funds for the training (creation of...
“training budgetary lines”); 
- carrying out studies on:
  - the opportuneness of training on-the-job or in special institutions (higher effectiveness, but supplementary costs and difficulties especially for the female staff arise)
  - creation of a stimulating system in order to attend training programs: (tests checking the acquisitions):
  - the creation of the trainers’ network;
  - participation of the Agency and of the human resources responsible in the public authorities and institutions in the development of the tri-annual training plan.

4. Development of the institutional capacity of the National Agency of Civil Servants

Proposals

In order to achieve the objectives in the field of the civil service reform there is a need to develop the institutional capacity of the National Agency of Civil Servants to prepare, implement, monitor and coordinate the enforcement of the policies concerning the human resources management in the civil service system.

The increase of the number of personnel of the National Agency of the Civil Servants, and the recruitment of human resources specialists, as well as legal advisors, psychologists, sociologists and statisticians are required.

A priority of the Agency in this respect is to develop a database related to the civil service that should relate to the integrated informatic system of the public administration.