

# **THE CIVIL SERVICE SYSTEM AT EUROPEAN LEVEL**

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## Note:

- the information presented here refer only to the countries which offered data via EUPAN network, namely Austria, Czech Republic, Croatia, Germany, Latvia, Luxemburg, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Hungary, as well as data sent by the European Commission.
- this assignment's information may be cited with the source.
- the format of numbers used, for uniformity reasons, is *space* as separator of three digits groups and *point* as decimal separator

## I. INSTITUTIONAL FRAMEWORK

(public entities responsible for the evidence of civil service positions / management of civil servants and civil service in general at national level -institutions similar to NACS in terms of scope, under their diverse structures (agencies, ministries, directions under ministries etc.)

### AUSTRIA

The **Civil Service Division** (Directorate General for the Civil Service and Public Administration Innovation) of the **Ministry for Arts, Culture, Civil Service and Sport** has the task of ensuring a modern management of the administration. By developing and implementing the necessary conditions, an efficient administration with well-trained and motivated staff can be ensured.

The main **tasks** of the division are: the design of federal civil service law, initial and further training, supporting the ministry in its strategic and operative human resources development, ensuring that its personnel are deployed efficiently, and the outcome-oriented management of the administration.

### CZECH REPUBLIC

#### Management of civil service

The Czech civil service is under the coordination of the **Deputy Minister of the Ministry of the Interior for the Civil Service** and the **Civil Service Section of The Ministry of the Interior**<sup>1</sup>.

The **Deputy Minister of the Ministry of the Interior for the Civil Service** issues service regulations and methodical instructions (it approves regulations on, for example, recruitment, framework rules on education in civil services, on creation of conditions for work - life balance, on procedures while performing appraisals of civil servants - these regulations must be followed by central government bodies and a majority of the organisations falling within their remit -deconcentrates). He also acts as an appellate body in civil service matters.

The **Civil Service Section of The Ministry of the Interior** controls service authorities on adherence of law and legal regulations regarding civil service matters, coordinates and monitors how service authorities carry out their duties in civil service, issues annual reports on civil service, provides advice on the legal framework, sets the rules on training, sets ethical rules for employees (ethical code), organizes methodical conferences with HR departments of civil authorities.

#### Organization of civil service posts

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<sup>1</sup> The Czech civil service is governed by Act No. 234/2014 on the civil service (hereinafter referred to as CSA). It was passed late in September 2014 and became effective from January 2015.

The number of service posts of civil servants and financial resources for civil servants' salaries are set by systemisation<sup>2</sup>. The Civil Service Section of The Ministry of the Interior in cooperation with The Ministry of Finance prepares the draft systemisation. Appointing authorities make proposals as a basis for the draft systemization and submit the proposals to the Ministry of the Interior within the period of time stipulated by the Ministry of the Interior via respective central public authorities. When drawing up a system for the ministry or its subordinated service authority, the respective authority shall coordinate it with the relevant minister. Government adopts systemisation for the calendar year following the current year. The draft systemisation is submitted to Czech government by the Minister of the Interior.

### **Evidence of civil service posts**

The Ministry of the Interior maintains the Civil Service Information System<sup>3</sup>. The Civil Service Information System is implemented as a Public Administration Information System. Its purpose is to maintain the data necessary for the management of organisational issues pertaining to the service and service relations within or among service authorities. It also processes some measures taken pursuant to this Act. The Civil Service Information System includes the Registry of Civil Servants, the Database of Vacant Service Posts, the Civil Service Examination Registration Portal, and the Database of Civil Service Examinations.

## **CROATIA**

**The Ministry of Public Administration** is responsible for evidence of civil servants, human resources management in civil service and management of civil service at national level.

## **THE EUROPEAN COMMISSION**

The department responsible for the management of civil servants and civil service in general is the Directorate-General for Human Resources and Security.

### **Responsibilities of the Directorate-General for Human Resources and Security**

- enable human resources to be used effectively, optimising their contribution to the Commission's strategy
- deliver HR services from recruitment and career development to retirement
- promote health, welfare and education measures for active staff
- ensure the safety, security and protection of staff, property, activities and information
- establish rules for implementing the Staff Regulations
- uphold the principles of non-discrimination and equal opportunity

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<sup>2</sup> According to article 17 of CSA.

<sup>3</sup> According to article 180 of CSA.

## GERMANY

In the Federal Republic of Germany, three principles are especially important for the structure of the government and public administration, namely:

- separation of powers
- federal system of government
- self-government for local authorities.

The Federal Republic is a confederation of federal states (Länder) in one country with a federal government (Federation).

State power is divided between the Federation and the states according to tasks and functions. As a basic rule, the Basic Law stipulates that exercise of state powers is a matter for the states. The Federation has administrative and legislative power only in those areas laid down by the Basic Law. In practice, the legislative function falls mainly within the responsibility of the Federation, whereas the states focus on administration. As a rule, the public administration of the states carries out federal law.

At federal and state level, administrative functions are carried out by the “direct state administration”, i.e. by federal and state authorities. However, there are also legally independent administrative bodies which form the “indirect” public administration. The legally and organizationally independent institutions of the “indirect” administration are subject only to limited state supervision or are completely independent, as is the case with Germany’s central bank, the Bundesbank.

Responsibility for the public administration, however, does not lie with the Federation and the states alone. Under the Basic Law, local matters are dealt with independently by the bodies of local self-government (local authorities). In addition, local authorities also perform state functions on behalf of other levels of government.

Public administration in Germany is divided into three independent levels:

- the federal administration
- the administration of the states
- the administration of the local authorities.

In principle, each of these administrative areas has a distinct set of functions. Federal, state and local government does not constitute a hierarchy.

For more general information on the federal public service please refer to the following brochure:  
<https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2014/federal-public-service.html>

Furthermore information that only counts for the federal sector:

**Federal Ministry of the Interior, Building a Community** (Link: [https://www.bmi.bund.de/EN/home/home\\_node.html](https://www.bmi.bund.de/EN/home/home_node.html)): The Federal Ministry is responsible for the public administration, from the federal public service and legislation on administrative procedures to open administration and open government. The Ministry is also supposed to drive an ongoing process of modernization in the public administration.

## **Federal Office of Administration**

(link: [https://www.bva.bund.de/EN/Home/home\\_node.html](https://www.bva.bund.de/EN/Home/home_node.html)): The Federal Office performs more than 150 tasks for all federal ministries and other federal authorities (e.g. allowances, remunerating/salary, staff recruiting).

## **LATVIA**

The **State Chancellery** is a central public administration institution directly subordinated to the Prime Minister<sup>4</sup>.

The State Chancellery is headed by its director, who is a top-rank official appointed to and dismissed from the post by the Cabinet order and upon recommendation of the Prime Minister. The Director and other civil servants of the State Chancellery are appointed to the post in line with the "State Civil Service Law".

The State Chancellery comprises Prime Minister's Office, departments, divisions and individual units set up by the Director of the State Chancellery. The State Chancellery ensures and controls compliance of policy documents and draft legal acts of the Cabinet with the effective requirements; develops and implements policy action plans in various areas and presents opinions on policy documents and legal acts, as well as technically arranges activities of the Cabinet of Ministers.

The **Department for Public Administration Policy** in the State Chancellery is responsible for human resources policy at a central level and remuneration policy of public sector. According to the State Civil Service Law State Chancellery:

- **develops and co-ordinates the development policy of the State civil service**
- **co-ordinates the career development of civil servants**
- **harmonises the positions of civil servants**
- **ensures the selection of the heads of an institution.**

State Chancellery also maintains and updates the remuneration registration system for officials and employees of state institutions.

## **The School of Public Administration**

The School of Public Administration is a state administrative institution under the supervision of the State Chancellery, which implements State policy in the education for civil servants field in order to prepare highly professional civil servants.

The functions of the School of Public Administration are as follows:

- to formulate civil service training programmes in accordance with the State Chancellery remit for the current year
- to co-ordinate and ensure the process of the training of civil servants
- to formulate drafts of regulatory enactments, conceptual issues, reports, programmes and other documents related to the training of civil servants.

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<sup>4</sup> <https://www.mk.gov.lv/en/content/institution>

## LUXEMBOURG

In Luxembourg, the state civil service encompasses ministries and agencies ('établissements publics'). Ministries are composed by ministerial departments ('départements ministériels') and by administrations, whose mission and scope of personnel ('cadre du personnel') are laid down in a law. The major difference between administrations and agencies is underlined by the fact that agencies are separate legal entities, which possess a more extended degree of financial and managerial autonomy.

## POLAND

The **Chancellery of the Prime Minister - Civil Service Department in the Chancellery supports the Head of Civil Service**, who is a central organ of Government administration, competent in Civil Service issues - being also a part of the Chancellery.

## PORTUGAL

As from October 2019, the **Ministry for State Modernisation and Public Administration** is the government department responsible for the definition and conduct of public administration policies, namely:

- The definition, coordination and evaluation of the human resources policies, in particular with regard to regimes of public employment and professional qualification and development;
- The definition, coordination and implementation of policies relative to the Civil Service, in particular in the areas related to:
  - Organization and management of services, with a view to increasing effectiveness and efficiency, the rationalization of the administrative activity and quality;
  - Innovation promotion in the public sector;
  - Civil service health subsystems and complementary social action management.

The **Directorate General for Administration and Public Employment**, is a Direct State Administration body within the Ministry for State Modernisation and Public Administration that assumes the mission of support to the definition of policies for public administration with regard to organization and management, employment and human resources management schemes as well as to ensure information provision and promotion of adopted measures and contribute to assessing their implementation. It is a cross-sectional service responsible for providing study, design, coordination and technical assistance to the government in its work of defining policies related to Public Administration.

The main services provided consist on:

- technical and consultancy support within the scope of public employment systems, performance assessment, social protection and collective relations, as well as organizational structures and service assessment;
- technical support to human resources management and development; Support to pay policy making and merit recognition; Information management and provision on public administration and its human resources;
- Research on public policies within the scope of public administration and public management;

- Planning, public employment control and assessment, including the disclosure of statistical information.

The **Directorate General for Qualification of Employees in Public Functions - INA** a Direct State Administration body part of the Ministry for State Modernisation and Public Administration is a cross-sectional service responsible for promoting the development and qualification of employees in civil service through competencies management and assessment of staff needs regarding the public services mission, objectives, activities and careers management. It is further deemed as the national training reference for national and foreign organizations having similar purposes.

The **Agency for Administrative Modernisation, I.P.** is the public institute that pursues the Ministry for State Modernization and Public Administration's attributions in the areas of administrative modernization and simplification and electronic administration, under the supervision and guidance of the Secretary of State for Innovation and Administrative Modernization. It is responsible for the promotion and development of administrative modernization in Portugal.

## SLOVAKIA

In Slovakia, the **Government Office of the Slovak Republic** is responsible for setting of the legal framework of civil service relations<sup>5</sup>. Under the Civil Service Act there are service offices (216) that are also responsible for management of their civil servants and application of Civil Service Act in their organization.

We consider as Service office the bodies determined by the Civil Service Act, eg. the Ministry and other central state administration bodies, local government body, another state administration body, unless a special regulation provides otherwise, Slovak Information Service, organizational unit of the Prison and Judicial Guard Corps and Offices of the National Council, President, Constitutional court, Specialized Criminal Court, Regional Court and District Court, General Prosecutor's Office, Regional Prosecutor's Office, Supreme Audit Office etc.

## SLOVENIA

Within the **Ministry of Public Administration** there is the **Public Sector Directorate** which performs tasks relating to the **systemic regulation, organisation and operation of the public sector**, with an emphasis on the organisation and functioning of the state administration, the public employee system, the public sector wage system.

It also performs tasks relating to the **organisation and holding of professional examinations and the provision of training for public employees** to increase the efficiency of the state administration. It is responsible for the **central personnel records** and provides **professional and administrative assistance** to the appellate employment commission of the Government of the Republic of Slovenia, the Council of Officials and the Inspection Council.

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<sup>5</sup> In compliance with the act no. 575/2001 Coll. on organization of central state administration (Competence Act) and act no. 55/2017 Coll. on civil service (Civil Service Act).

## SPAIN

### **The Ministry of Territorial Policy and Civil Service:**

- **The Secretary of State of the Civil Service** defines, directs, coordinates, promotes the the legal HRM framework and coordinates it among the Central Public Administration.
- **HRM Policy** is developed by the **General Secretary of the Civil Service** and the General Directorate for the Civil Service.

Note that the Spanish State is territorially organized into 17 Autonomous Communities, the Cities with autonomous status of Ceuta and Melilla and 8 117 municipalities. Public service employment is highly decentralized; most of which is concentrated in territorial administrations (Autonomous Communities and Local Administration).

There is a homogeneous model for the Civil Service<sup>6</sup>, whilst respecting the competences of the other regional and local administrations in order to adapt these general provisions to their specific conditions. On the other hand, it sets out the common rules applicable to the different groups of public employees.

The **Public Employment Coordination Commission**, technical body under the Public Administration Sectorial Conference, is an essential tool to guarantee the coherence and communication of public employment system as a whole. It enhances the cooperation among all public administrations to solve all the common problems in public employment: access, professional career, training or mobility, among others.

The Commission is formed by the heads of General State Administration's human resources policy management bodies, of the Autonomous Communities Administrations and from the Cities of Ceuta and Melilla, and representatives of the Local Administration designated by the Spanish Federation of Municipalities and Provinces.

Besides, the **Ministry of Territorial Policy and Civil Service** is responsible for the management of civil servants and civil service in general at national level (**Central Public Administration**): the legal framework, labour relations, job schedules and the Public Service remuneration system, public service vacancies, job allocation and professional mobility...

There are 22 Ministries. Each Ministry has its own Under-Secretary, in charge of managing HR in it.

## SWEDEN

Sweden has a government organisation with relatively **small ministries** and the absolute majority of all operations in around **240 agencies** including the **universities**. Each ministry and agency has its own department responsible for HRM issues.

The **municipalities and regions** are a big part of the public sector. They are even more autonomous when it comes to HRM matters.

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<sup>6</sup> The consolidated text of the Basic Statute of Public Employees Act, approved by Royal Legislative Decree 5/2015, of 30 October 2015, establishes the general principles applicable to public employment relationships.

## **HUNGARY**

Each ministry has its own department responsible for HRM issues. However **the minister responsible for working out civil service career (the Ministry of Interior)** prepares professional concepts for government officials and civil servants on selection, qualification, training, further training, performance assessment, promotion and pay. The minister also works out methodological guidance in the field of HR, ensures performance assessment, further training of governments officials and leaders.

**The HR Center (operated by the Ministry of the Interior)** is responsible for methodological support of recruiting, selection, training, performance evaluation of civil servants working in the central, territorial and local public administration, also manages registrations determined by law. Some activities of the HR Centre (e.g. performance evaluation, recruitment) may refer to other areas of the public sector (law enforcement, water sector).

**The Governmental HR Administrative Centre (Government Office of the Prime Minister)** is responsible for managing the centralized posts of staff, supervising the basic staff number of governmental administrative organisations. The activities of the Centre refer only to public officials in the state administration.

**The minister responsible for quality policy and staff policy in the public administration (the Prime Minister's Office)** provides different tasks in the field of quality policy and staff policy (e.g. working out principles of quality policy in public administration), development of public administration (e.g. co-ordinating governmental tasks on modernization of administration, supports public organs' activity on organizational development), organising public administration (harmonize regional implementation of governmental tasks).

## II. CATEGORIES OF STAFF FALLING UNDER THE SCOPE OF YOUR PUBLIC ENTITY

(ex. NACS manages civil servants, as well as civil servants positions at national level and we are in the process of taking over the evidence of the contractual staff in the public administration)

### AUSTRIA

The **Federal Ministries** – their headquarters as well as their subordinate institutions – are responsible for carrying out the administrative tasks of the Federation (or Bund, as it is called in Austria).

Only **8.6 % of Federal civil servants** work in the **Federal Ministries** themselves, while **90.6 %** work in their numerous subordinate institutions, such as **schools, courts, tax offices and police stations**. Finally, **0.8 %** of all Federal civil servants work for the Federal President's Office, the Parliamentary Administration, the Constitutional Court, the Supreme Administrative Court, the Ombudsman Board and the Court of Audit, which are collectively known as the “supreme institutions” of the Republic.

For numbers and details see:

[https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB\\_2019\\_Folder\\_EN.pdf](https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB_2019_Folder_EN.pdf)

### CZECH REPUBLIC

There are two main categories of employees in the Czech service authorities (**central state administration**):

- **civil servants**: they perform tasks related to civil service (specified in the CSA)
- **employees being employed in accordance with standard labour-law<sup>7</sup>**: these employees perform support or manual jobs. Also employees of the minister's cabinet have the labour-law employment. Another employees excluded from CSA are listed in article 2 of CSA.

### CROATIA

Categories of staff under the scope of Ministry of Public Administration are:

- **civil servants**
- **government employees** and
- **servants and employees in local and regional self-government units.**

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<sup>7</sup> The Act No. 262/2006 Coll., Labour Code.

## EUROPEAN COMMISSION

There are different categories of staff at EU level:

- **permanent officials:** within the EU civil service there are **three types of permanent contract** that can be awarded. The first is for administrators (AD), the second for assistants (AST), and the third for assistant-secretaries (AST/SC).
  - **administrators** are be involved in drafting policies, implementing EU law, analysis or advisory work. The policy sectors covered include administration, law, finance, economics, communications and science. Translators and interpreters are also recruited as administrators.
  - **assistants** will typically be engaged in an executive or technical role in administration, finance, communication, research, or policy development and implementation.
  - **secretaries/clerks** (may change depending on competition) are generally involved in office management or providing administrative support at the EU institutions.
- **contract staff:** It is possible to work for the EU institutions on a fixed-term contract basis. Contract agents (known as CAST) are recruited to manual or administrative support-service tasks or to provide additional capacity in specialised fields where insufficient officials with the required skills are available. If one is successful in obtaining a contract, one will be employed for a fixed minimum period, often with a shorter initial contract of 6-12 months depending on the type of job. In some EU bodies, the contract could be extended for an indefinite duration. Contract staff positions are available for a wide range of jobs, requiring different levels of qualifications: **manual and administrative work; clerical, secretarial or office management tasks; executive tasks, drafting, accountancy or equivalent technical tasks; administrative, advisory, linguistic and equivalent technical tasks.**
- **temporary staff:** temporary posts are usually available in highly specialised fields such as scientific research.
- **trainees:** each year around 1 200 young people are offered the chance to increase their professional skills, develop their personal qualities, and enhance their EU knowledge through the EU trainee programmes. The European Parliament, the Council, the Commission, the External Action Service, Court of Justice, Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the European Ombudsman organise traineeships for young university graduates, each lasting 3-5 months. Trainees will all have completed their first university degree, and so receive tasks similar to those of the lower administrator grade officials. Traineeships (or internships) are available in a wide range of fields and offer a great insight into the work of the EU. The content of the job largely depends on the service assigned to. Opportunities are available in the fields of **competition law, human resources, environmental policy, communication and many more.** The majority of traineeships are paid, usually in the region of 1000 €/month and are based in Brussels or Luxembourg.

- **seconded national experts** are national or international civil servants or persons employed in the public sector who are working temporarily for an EU Institution. Most SNEs are nationals from a European or European Economic Area country, but in exceptional cases non-EU/EEA nationals can also be seconded to the Commission.
- **other types of employment**
  - **interim staff** are often needed in secretarial roles. Posts are rarely longer than 6 months in duration.
  - **interim consultants:** some EU departments employ consultants directly through tendering procedures.
  - **Parliamentary assistants** to a Member of the European Parliament (based in Luxembourg, Brussels or Strasbourg).
  - **freelance linguists:** translators and interpreters.
  - **junior professionals in delegation:** The EU has Delegation offices around the world. Traineeships of up to 18 months are offered in the EU Delegations to give talented and promising university post-graduates the opportunity to gain first-hand experience in the work of the Delegations, and a deeper insight into their role in the implementation of EU external relations policies.
  - **EU experts** - experts in an EU policy field can register their credentials with an experts' database maintained by an EU institution or agency.
  - **maintenance and canteen staff:** Certain categories of staff such as maintenance workers and canteen staff are recruited via external contracting companies.

## GERMANY

In Germany there are **civil servants** and **public employees**. Beside these two main categories, there are **judges** and **military personnel**.

The Basic Law stipulates that the exercise of sovereign authority should, as a rule, be entrusted to members of the public service who stand in a relationship of service and loyalty defined by public law, that is, **civil servants**. In addition, public service tasks are performed by **public employees without civil servant status**. **Judges** and **military personnel** also stand in a special relationship to the Federation.

The **distinction** between **civil servants** and **public employees** in terms of functions is fluid in practice. Each authority has a certain scope for action and may decide whether to employ civil servants or public employees. The legal status of civil servants is governed by laws and ordinances. The German Bundestag has the right to determine the rights and duties of civil servants as well as their salaries and pensions by law.

The employment of **judges** and **military personnel**, like that of civil servants, is also governed by public law.

**Public employees** are employed on the basis of a **contract under private law**. General labour law applies to them as to all employees in Germany. However, specific working

conditions are set out in **collective agreements** negotiated between the public employers at federal, state or local level and the responsible unions

**Public employees and civil servants have equal status.** However, in addition to the restriction<sup>8</sup>, there are significant **differences** between the two groups. In particular, only civil servants are subject to special obligations such as serving in a relationship of loyalty. The obligations of public employees, on the other hand, are based on their function as specified in the work contract and the collective agreements. Only civil servants are prohibited from striking, as a sign of their special loyalty to the state and ensuring that the core responsibilities of the public service are performed reliably without interruption.

You can find detailed information in the above-mentioned brochure <https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2014/federal-public-service.html>

## LATVIA

### Activities of Public Persons

(1) The LATVIA, as the initial public person, shall act in the field of State administration through the intermediation of **institutions of direct and indirect administration.**

(2) **Derived public persons** shall act in the field of State administration through the intermediation of the **institutions of indirect administration.**<sup>9</sup>

### Liability of Public Persons for their Institutions

Institutions of **direct administration** represent the Republic of Latvia. The Republic of Latvia shall be liable for the activities of the institutions of direct administration.

Institutions of **indirect administration**, when acting in a field that has been transferred by law to the autonomous competence of the relevant derived public person, represent such public person. The derived public person shall be liable for the activities of the institutions of indirect administration<sup>10</sup>.

For more information about public employment structure refer to:

- **State Civil Service Law:** <https://likumi.lv/ta/en/en/id/10944>
- **State Administration Structure Law:** <https://likumi.lv/ta/en/en/id/63545>
- **Law On Prevention of Conflict of Interest in Activities of Public Officials:** <https://likumi.lv/ta/en/en/id/61913>
- **Labour Law:** <https://likumi.lv/ta/en/en/id/26019>. Except the remuneration and other issues, that are governed by the Law On Remuneration of Officials and Employees of State and Local Government Authorities: <https://likumi.lv/ta/en/en/id/202273>

“(..) Employment legal relationships are regulated by the Constitution of the Republic of Latvia, the norms of international law which are binding on the Republic of Latvia, this Law and other regulatory enactments, as well as by

<sup>8</sup> Imposed by Article 33(4) of the Basic Law.

<sup>9</sup> State Civil Service Law, Section 4 - <https://likumi.lv/ta/en/en/id/10944>

<sup>10</sup> State Civil Service Law, Section 5.

collective agreements and working procedure regulations (Labour Law, Chapter 1, Section 1).”

- **Law On Remuneration of Officials and Employees of State and Local Government Authorities:** <https://likumi.lv/ta/en/en/id/202273> and Regulations of the Cabinet of Ministers No.66 On wages and the procedures for the determination of wages of Officials and Employees of State and Local government Institutions (adopted on 29.01.2013.): <https://likumi.lv/ta/en/id/254560-regulations-regarding-work-remuneration-of-officials-and-employees-of-state-and-local-government-authorities-and-procedures-for-determination-thereof>.

## LUXEMBOURG

In Luxembourg, there exists three categories of public officials:

- **statutory civil servants**
- **state employees and**
- **salaried state staff** ('salariés de l'État'),

The status of **state civil servant** results from an express provision of the law. The appointing authority shall appoint him/her unilaterally. The appointment shall be final and permanent.

The **state employee** is bound by a contractual relationship with the State, while the **salaried staff** is in a contractual relationship with the State and their terms, and conditions of employment are regulated in a collective agreement concluded between the State and the representatives of the employees and governed by the labour law.

## POLAND

Civil service corps members - in general government administration at central and regional levels<sup>11</sup>.

The legal relationship between the state and the official has its own nature. In the Polish civil service we differentiate three categories of staff:

1. **Civil service employees** employed on the basis of **employment contract**.
2. **Civil servants** employed on the basis of **nomination** (classic bureaucrats with a lifelong tenure). The nominated civil servants as a prioritised group have some additional rights compared to the civil service employees.

There are two ways of obtaining this status:

- taking so called qualification procedure (state exam)
- graduating from the Lech Kaczyński National School of Public Administration (a governmental school directly subordinated to the Prime Minister).

3. **Persons occupying senior positions** employed on the basis of **appointment**.

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<sup>11</sup> Please find a full list of offices in article 2 of the Law on Act of 21 November 2008 on Civil Service - link to the act and other laws (legal framework) and general information on civil service in English: <https://dsc.kprm.gov.pl/en>.

Civil service corps is a general term for the legal relationships within civil service. It includes all three categories.

## PORTUGAL

The work in public functions may be performed by means of **public employment relationship** or **service delivery contract**.

The **public employment relationship** is that one by which an individual performs his/her activity to a public employer, on a subordinated basis and by way of compensation. There are three modalities in force:

**Public employment relationship** has the following forms:

- **Employment contract in public functions**, employment relationship formation basic modality, applied to all situations that, according to the law, the appointment and limited executive tenure shall not be used. As a rule, the public employment relationship is formed by way of employment contract in public functions for an indefinite period of time.
- **Appointment** - the public employment relationship is formed by appointment in cases of fulfilment of functions within the scope of the following assignments, competencies and activities: generic and specific missions of Armed Forces in permanent establishment plans; the Foreign Office; Security and Intelligence Service; Criminal Investigation; Public security in public space and in institutional services (prisons); Inspection Activities;
- **Limited executive tenure** - applies to public employment relationship formed for the performance of positions not integrated into careers, namely, managers and the performance of functions fulfilled with a view to obtaining specific training, academic qualifications or professional degree by public employee with a public employment relationship for an indefinite period of time. As a rule, the limited executive tenure is formed for a fixed temporary term. In the absence of a special norm, the regulation provided for the public employment relationship of origin is to apply to the limited executive tenure and, when this one does not exist, the regulation provided for contracted employees.

According to the employment link civil service workers may be designated as:

- **Public employees** - the ones holding an employment contract in public functions
- **Civil servants** - the ones with an appointment link also called under statutory regime

**Senior civil servants** - the ones holding a management position

## SLOVAKIA

The scope of the Civil Service Act is to set legal relations in the performance of civil service by civil servants.

**Civil servant** is defined as a citizen in civil service employment relationship who performs civil service in the Service office in the relevant civil service sector or without designation of relevant civil service sector.

The Civil Service Act also defines **groups of persons** who are considered to be civil servants in public function and who are elected or appointed by the specific subjects e.g. by the **National Council of the Slovak Republic**, the **Government of the Slovak Republic** etc.

Civil servant is also considered as a person with a **specific status** that is defined by special law e.g. statutory bodies appointed in compliance with special law. These persons are exempted from certain provision of Civil Service Act.

**Civil service positions are not managed on central level yet**, but Civil Service Act established the **Central Information System on Civil Service** as a progressive IT solution for better planning of human resources on central level. Its purpose is to enable the service offices and the Government office of the Slovak Republic to manage the respective data in order to make the performance of civil service more efficient. It consists of 5 registers:

- the registry of selection procedures
- the registry of successful graduates
- the registry of redundant civil service employees
- the registry of civil service positions
- the registry of civil servants.

The provisions on the registry of civil service positions and the registry of civil servants are in force from 2022.

## SPAIN

The Public Service's legal regime is plural rather than single.

There is in the first place a **general Public Service system** applying to all the Public Administrations' public servants. Within this general regime there is then a distinction between a common or basic one applying to all public servants in all the Public Administrations<sup>12</sup> assigning the State exclusive power to regulate the bases of the statutory regime of public servants, and the Public Service models of each of the Autonomous Communities, which must be in line with the basic system.

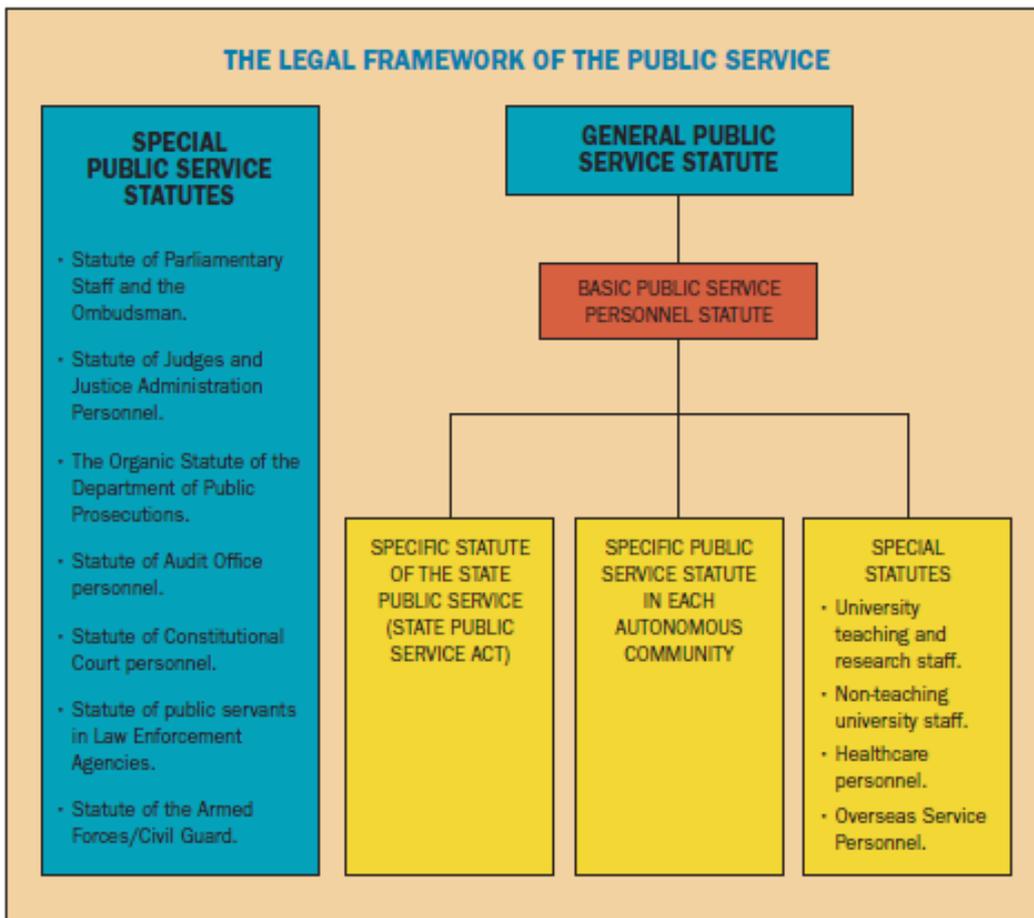
However, along with this general system, the Constitution also allows for **special arrangements or statutes for certain public servants**, specifically those of constitutional bodies and those carrying out functions which are not compatible with the general Public Service regulation. The general Public Service regime is usually applied on a supplementary basis to these public servants.

Moreover, as part of the general Public Service system, there are a number of **special arrangements applied to groups of public servants** which are to a degree specific because of the particular nature of their activity or the place where they pursue it, e.g. **teachers, healthcare personnel, researchers**, etc.

For the most part, these special facets involve the exclusion of these public servants from the application of some aspects of the general provisions, or the creation of special rules for them in certain matters.

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<sup>12</sup> and which the State establishes pursuant to Article 119.1.18 of the Constitution.



## SWEDEN

The central government sector in Sweden apply a **position-based system with very few employees with tenure (only judges)**. The employer policy is delegated from the government to the agencies.

The **Agency for Government Employers (SAGE)** has the mission to coordinate employer policy together with the agencies and to negotiate on the employer side for national collective agreements in most of the HRM issues, like pay, common working conditions, transition, pensions, and so on. The cost and Government budget control is maintained with annual appropriations set in advance covering all costs to the agencies.

Read more in the publication Central Government and delegated employer policy - the Swedish Model<sup>13</sup>.

## HUNGARY

The staff under the scope of the **Hungarian Ministry of Interior**:

The **minister** responsible for **working out civil service career** (the Ministry of Interior) prepares professional concepts for government officials and civil servants on selection, qualification, training, further training, performance assessment,

<sup>13</sup> It is from 2009 but still gives a correct description.

**promotion and pay.** The minister also works out **methodological guidance in the field of HR**, ensures **performance assessment**, further **training of governments officials and leaders**.

The **HR Center** (operated by the Ministry of the Interior) is responsible for methodological support of recruiting, selection, training, performance evaluation of civil servants working in the central, territorial and local public administration, also manages registrations determined by law. Some activities of the HR Centre (e.g. performance evaluation, recruitment) may refer to other areas of the public sector (law enforcement, water sector).

### III. CATEGORIES OF PERSONNEL IN CIVIL SERVICE

(ex. in Romania teachers, police - in general, medical doctors do not fall under this precise category, but are in Public Service)

#### AUSTRIA

There are seven different occupational groups within the Federal Civil Service:

- administrative service
- law enforcement (police)
- judges & prosecutors
- teachers
- military
- nurses
- school inspectors

While there are clear job profiles for most of these occupations, members of the administrative service can be involved in a wide range of different activities, which is why they are to be found in practically all parts of the Federal Civil Service. In addition to administrative officers, this group includes experts such as lawyers, engineers, economists, psychologists and business administration specialists, to name just a few.

For numbers and details see:

[https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB\\_2019\\_Folder\\_EN.pdf](https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB_2019_Folder_EN.pdf)

#### CZECH REPUBLIC

Employment of other remaining public service employees (**policemen, soldiers, officers of self-governing units - municipalities and regions, medical doctors, teachers** etc.) is regulated by the Act No. 262/2006 Coll., Labour Code and their own laws.

#### CROATIA

**Civil servants** are employed in state administration bodies (includes **police, custom officers, and employees in justice system, except for judges and public prosecutors**). The category of civil servants *does not include* public servants employed in **health, social care, culture, science and education and environment**.

EUROPEAN COMMISSION - please refer to Chapter II.

## GERMANY

The exercise of sovereign authority on a regular basis shall, as a rule, be entrusted to members of the public service who stand in a relationship of service and loyalty defined by public law (e.g. **policeman, teacher, fireman, judicial /prison /administrativ /finance /customs officers**)<sup>14</sup>.

## LATVIA

There are **two categories** of public sector employees in direct state administration:

- **civil servants** are governed by State Civil Service Law<sup>15</sup> and
- **public sector employees** employed by job contracts to whom Labour Law applies<sup>16</sup>

### **A Civil Servant**<sup>17</sup>

(1) A civil servant is a person who in a **direct administration institution** (hereinafter - institution), forms the policy or development strategy of a sector, co-ordinates the activity of a sector, distributes or controls financial resources, formulates regulatory enactments or controls the observance thereof, prepares or issues administrative documents, and prepares or takes other decisions related to the rights of individuals.

(2) A civil servant in the specialised State civil service is a person who performs the functions referred to in Paragraph one of this Section in the diplomatic and consular service, and the State Revenue Service.

(3) The Prime Minister, ministers, Ministers for Special Assignments, Deputy Prime Ministers (hereinafter - ministers), State ministers, office employees of the aforementioned officials (assistants, advisers, press secretaries) and parliamentary secretaries are not civil servants.

(4) In the interests of the State in a civil service position for a specified period a professional service soldier may be appointed. The professional service soldier who holds the civil service position is not a civil servant [...].

(5) In the interests of the State, an official with a special service rank of the Ministry of the Interior system institution or Prisons Administration may be appointed to a civil service position in the Ministry of the Interior, the Ministry of Justice or the Ministry of Foreign Affairs (in diplomatic and consular representations abroad) for a definite period of time, but not longer than for five years.

## LUXEMBOURG

The Luxembourgish civil service includes the personnel of:

- the **educational sector**
- the **judiciary**
- the **police** and the **army**
- and the **general administration**

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<sup>14</sup> **Article 33 (4) of the Basic Law**

<sup>15</sup> <https://likumi.lv/ta/en/en/id/10944>

<sup>16</sup> <https://likumi.lv/ta/en/en/id/26019>

<sup>17</sup> State Civil Service Law, Section 3

It is divided into 4 sectors:

Sector	Total number of staff
General administration	9 806
Educational sector	14 018
Police and Army ('Force publique')	3 233
Judiciary	1 282

\* data for 31 December 2018

## POLAND

Similarly (to Romania) is also in Poland - narrow concept of the civil service: **only officials' positions**.

Education, health sector, armed forces, judiciary, self-government (local) administration etc. - *are not included to the civil service*.

## PORTUGAL

**Public employees** with public employment relationship formed for an indefinite period of time fulfil their functions integrated into careers. The public employees with fixed or unfixed term temporary public employment relationship fulfil their functions by reference to a category integrated into a career.

The current **careers system** classifies careers as **general** and **special** systematizing them according to the required admission academic qualifications.

Therefore, general careers are those whose functional contents characterize work posts that the generality of public services needs for the development of the respective activities.

**General system careers** are as follows:

- professional
- administrative staff
- support staff

On the other hand, special careers are those whose functional contents characterize work posts that only one or some public services need for the development of the respective activities, such as the following careers examples: **medical, teaching, nursing, military, security forces, inspection, ICT**.

Only may be created **special careers** when, cumulatively:

- the respective functional contents shall not be absorbed by functional contents of general careers;
- the respective public employees are subject to more demanding functional duties than those provided for those of general careers;
- the respective public employees should have approval in a specific training course of term not lower than six months or hold a certain academic degree or professional certificate to integrate the career.

## SLOVAKIA

The Civil Service Act *does not apply* to specific groups of persons - e.g. members of parliament, government, president, judges, prosecutors etc. and also specific

**groups of persons are exempted from the personal scope of the Civil Service Act - e.g. members of the police force, members of railway police etc.**

The legal relations of these particular groups are governed entirely by special law. The personnel as **secretaries, drivers etc.** are usually **in public service.**

## **SLOVENIA**

In Slovenia, **all individuals, employed in the public sector, are considered public employees.**

**Public sector** comprises:

- **state bodies and self-governing local authorities**
- **public agencies, public funds, public institutes and public commercial institutes, and**
- **other entities under public law** that are indirect users of the national budget or local authority budgets.

**Part Two** of the Public Employees Act, which governs the rights and obligations of public employees, applies only to **public employees of state bodies and self-governing local authorities** and does not apply to the rest of the public sector such as teachers, medical doctors, nurses etc.

**State bodies** are **state administration bodies and other state bodies.**

**State administration bodies** are **ministries, bodies within ministries** (including the Police and General Staff of the Slovenian Armed Forces), **government offices and administrative units.**

**Other state bodies** are **National Assembly, the National Council, the Constitutional Court, the Court of Audit, the Human Rights Ombudsman, judiciary bodies.**

**Public employees** that perform public tasks in state bodies are **officials.**

**Public tasks** are the tasks that are directly linked to the exercise of power or to the safeguarding of the public interest.

Public employees performing ancillary work in state bodies are **ancillary public employees.**

**Ancillary work** is work in the field of personnel management and material and financial operations, **technical and similar services** and other work required for the smooth performance of an authority's public tasks.

## **SPAIN**

**Public Employee Categories:**

- **permanent or career civil servants:** are those who, by virtue of legal appointment, are linked to a public administration by a statutory relationship regulated by administrative law for the performance of paid professional services of a permanent nature.

In any event, the exercise of duties which involve direct or indirect participation in exercising public powers or in safeguarding the general interests of the State and

public administrations is the sole responsibility of public civil servants, under the terms established in each public administration's law of implementation.

- **contractual workers**: They are covered by general employment laws and the Single Agreement for contractual staff; they may only hold certain posts.
- **interim civil servants**: On duly justified grounds of need or urgency, interim civil servants are appointed as such for the performance of professional civil servant functions in accordance with the circumstances set out in the Civil Service Basic Statute.
- **temporary contractual workers**: By virtue of a formalised temporal written contract through any of the staff recruitment methods set out in employment legislation, contractual workers provide services that are paid by the Public Administrations.

There are specific regulations for:

- **research personnel**
- **teaching staff**
- **healthcare personnel**

Personnel with their own **specific legislation**:

- Civil service personnel of Parliament and legislative assemblies of the Autonomous Communities
- Civil service personnel of all other constitutional bodies of the State and statutory bodies of the Autonomous Communities
- Judges, magistrates, public prosecutors and other civil service personnel employed by the legal system
- Armed forces military personnel
- Law enforcement agency and organization personnel
- Personnel paid out of tariffs
- National Intelligence Centre personnel
- Personnel of the Bank of Spain and the Spanish Deposit Insurance Fund.

## **SWEDEN**

There is a category classification system called **BESTA** in use, that divides the different jobs by **work tasks** and the **level of difficulty**. This makes it possible to follow up the wage development and much more.

The most common categories are:

- **teachers at the university level - 30 000**
- **legal investigators - 24 000**
- **polices - 18 000**
- **common investigators - 15 000**
- **employment services - 10 000**
- **administrative work - 9 000**
- **prison and probation services - 9 000 and**
- **military work - 8 000.**

## HUNGARY

Similar to the Romanian system, **public service is wider than the civil service** (public service includes staff of health care, education, law enforcement etc.).

The categories of **civil service staff**:

The legislation<sup>18</sup> determines rules for:

- **political legal relationship** [political top leaders; political leaders; political advisors]
- **commissioner legal relationship** [government commissioner; ministerial commissioner; commissioner of the Prime Minister]
- **governmental legal relationship** [professional leaders; government officials of central governmental administration bodies and their territorial organs; government officials of other territorial governmental administration organisations (Government Offices)].

It also regulates<sup>19</sup> the **legal status of government officials** of the central, territorial and local levels of centrally financed agencies directly managed by the government (recruitment, selection, remuneration, performance evaluation, career and promotion, dismissals).

**Civil servants** work for local governments, they are not part of the state administration<sup>20</sup>.

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18 Act CXXV/2018 on Government Administration.

19 Idem

20 According to the Act CXCIX/2011.

## IV. ROUGH AVERAGE PAYMENT FOR JUNIOR AND SENIOR CIVIL SERVANTS

### AUSTRIA

Occupational groups	Annual income (median)
administrative service	39 557 EUR
law enforcement	51 319 EUR
judges and prosecutors	88 766 EUR
teachers	52 490 EUR
military	45 668 EUR

\*as of 2019

For further details, please see

[https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB\\_2019\\_Folder\\_EN.pdf](https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB_2019_Folder_EN.pdf)

### CZECH REPUBLIC

We do not have data on rough average payment for junior and senior civil servants separately.

The average payment for **all public workers** in 2019 was **35 515 CZK**. Please note that this number includes not only civil servants, but all public employees as specified above.

### CROATIA

Salary of civil servants is calculated depending on the coefficient for the post to which the servant is assigned (depending on job complexity).

Servants vary depending on length of service and other factors, but rough brutto average vary from around **600 EUR** for junior servants up to around **2 700 EUR** for top management senior civil servants.

### EUROPEAN COMMISSION

**Basic monthly permanent official salaries** range from around **€2 300** per month for a newly recruited Assistant-Secretary (AST/SC 1) official, **€4 500** for an entry level **graduate administrator grade (AD 5)** and up to **€16 000** per month for a limited number of **top level Administrators (AD 16)** at **Director-General level**. Each grade is broken up into five seniority steps with corresponding salary increases. Basic salaries are adjusted annually in line with inflation and purchasing power in the EU countries. In addition, if you have left your home country to come and work for an EU institution, you are entitled to an **expatriation allowance equivalent to 16% of your basic salary**.

**Some family-related allowances are available to permanent officials according to their family situation**. These include a **household allowance**, a **dependant child allowance**, an **educational allowance** and a **pre-school allowance**.

For a European civil servant, the salary is **not subject to national income tax**. Instead, salaries are directly subject to a Community tax which is paid directly back into the EU's budget. This tax is levied progressively at a rate of between **8% and 45%**

of the taxable portion of your salary. An additional 'solidarity levy' is in place from 2014 to 2023.

**2019 Annual update of the remuneration and pensions of the officials and other servants of the European Union and the correction coefficients applied thereto**

1. Table of the amounts of basic monthly salaries for each grade and step in function groups AD and AST<sup>21</sup>:

1.7.2019	STEP				
GRADE	1	2	3	4	5
16	18 994.33	19 792.50	20 624.20		
15	16 787.82	17 493.27	18 228.35	18 735.49	18 994.33
14	14 837.60	15 461.11	16 110.80	16 559.04	16 787.82
13	13 113.98	13 665.04	14 239.26	14 635.43	14 837.60
12	11 590.57	12 077.61	12 585.13	12 935.26	13 113.98
11	10 244.12	10 674.58	11 123.14	11 432.61	11 590.57
10	9 054.10	9 434.55	9 831.02	10 104.52	10 244.12
9	8 002.30	8 338.57	8 688.98	8 930.71	9 054.10
8	7 072.70	7 369.90	7 679.59	7 893.26	8 002.30
7	6 251.08	6 513.76	6 787.48	6 976.32	7 072.70
6	5 524.91	5 757.08	5 998.99	6 165.90	6 251.08
5	4 883.11	5 088.30	5 302.11	5 449.63	5 524.91
4	4 315.85	4 497.20	4 686.18	4 816.55	4 883.11
3	3 814.47	3 974.78	4 141.81	4 257.02	4 315.85
2	3 371.37	3 513.03	3 660.66	3 762.50	3 814.47
1	2 979.73	3 104.93	3 235.40	3 325.43	3 371.37

<sup>21</sup> Referred to in Article 66 of the Staff Regulations, applicable from 1 July 2019.

2. Table of the amounts of basic monthly salaries for each grade and step in function group AST/SC<sup>22</sup>:

1.7.2019	STEP				
GRADE	1	2	3	4	5
6	4 844.35	5 047.92	5 260.04	5 406.37	5 481.07
5	4 281.60	4 461.52	4 649.65	4 778.33	4 844.35
4	3 784.23	3 943.23	4 108.94	4 223.26	4 281.60
3	3 344.61	3 485.15	3 631.63	3 732.64	3 784.23
2	2 956.07	3 080.30	3 209.75	3 299.04	3 344.61
1	2 612.68	2 722.47	2 836.88	2 915.78	2 956.07

More detailed information on salaries in 2019 is published in the Official Journal in [English](#).

## **GERMANY**

### **Elements of remuneration**

Remuneration, which is paid monthly in advance, consists primarily of the basic salary. Additional elements include family allowance and other allowances as applicable. Performance bonuses or performance allowances may also be paid. Civil servants assigned abroad may receive additional allowances. Further, capital-forming benefits are paid.

### **Basic salary**

The basic salary is the main element of remuneration. It is based on the pay grade of the assigned office and therefore does not depend on what function the civil servant actually performs.

The offices and pay grades are specified in four federal pay scales:

Federal pay scales A and B govern the remuneration of civil servants with life tenure and soldiers, federal pay scale W that of professors at higher education institutions, and federal pay scale R that of judges and public prosecutors.

Federal pay scale A includes several steps for each pay grade, while federal pay scale B does not. Federal pay scale B applies to high-ranking positions such as state secretaries, directors-general, directors, heads of division, generals and presidents of higher federal authorities.

<sup>22</sup> Referred to in Article 66 of the Staff Regulations, applicable from 1 July 2019.

Federal pay scale A assigns the following pay grades to the different career paths for civil servants:

- **ordinary service:** → pay grades A 2 to A 6
- **intermediate service:** → pay grades A 6 to A 9
- **higher intermediate service:** → pay grades A 9 to A 13
- **higher service:** → pay grades A 13 to A 16.

The highest grade of a lower career path is usually the starting grade of the next highest career path.

### Officials federal 2020

Validity of the table: 01.03.2020 - 31.08.2020

Federal Government 2020 salary table								
EUR	1	2nd	3rd	4th	5	6	7	8th
A 2	2 216.34	2 265.70	2 316.41	2 354.40	2 393.69	2 432.96	2 472.21	2 511.49
A 3	2 301.21	2 353.13	2 405.07	2 446.88	2 488.68	2 530.48	2 572.30	2 614.10
A 4	2 349.36	2 411.41	2 473.48	2 522.89	2 572.30	2 621.71	2 671.10	2 716.73
A 5	2 367.07	2 444.34	2 506.40	2 567.24	2 628.06	2 690.14	2 750.92	2 810.47
A 6	2 417.74	2 507.71	2 598.89	2 668.57	2 740.79	2 810.47	2 887.74	2 954.88
A 7	2 538.10	2 617.92	2 723.09	2 830.73	2 935.88	3 042.30	3 122.12	3 201.92
A 8	2 685.05	2 781.34	2 916.87	3 053.72	3 190.51	3 285.53	3 381.81	3 476.83
A 9	2 897.87	2 992.89	3 142.39	3 294.40	3 443.86	3 545.48	3 651.19	3 754.27
A 10	3 101.83	3 232.31	3 421.09	3 610.70	3 803.84	3 938.26	4 072.64	4 207.09
A 11	3 545.48	3 745.12	3 943.47	4 143.12	4 280.13	4 417.15	4 554.17	4 691.22
A 12	3 801.25	4 037.44	4 274.93	4 511.11	4 675.53	4 837.33	5 000.45	5 166.19
A 13	4 457.62	4 679.45	4 899.96	5 121.81	5 274.49	5 428.48	5 581.13	5 731.19
A 14	4 584.18	4 869.95	5 157.05	5 442.81	5 639.84	5 838.22	6 035.24	6 233.61
A 15	5 603.31	5 861.70	6 058.73	6 255.79	6 452.84	6 648.57	6 844.31	7 038.72
A 16	6 181.40	6 481.55	6 708.59	6 935.65	7 161.40	7 389.78	7 616.82	7 841.28

### Salary table with monthly values

EUR	0
B 1	7 038.72
B 2	8 176.63
B 3	8 658.13
B 4	9 161.83
B 5	9 739.93
B 6	10 289.32
B 7	10 819.10
B 8	11 373.67
B 9	12 061.37
B 10	14 197.53
B 11	14 749.49

More General information on payment you can find in the above-mentioned brochure <https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2014/federal-public-service.html> (pages 82 to 109).

You can find the current

- federal pay scale for **federal civil servants** here: <https://oeffentlicher-dienst.info/c/t/rechner/beamte/bund/a/2020?id=beamte-bund-2020&matrix=1>
- salary table for **public employees** here: <https://oeffentlicher-dienst.info/c/t/rechner/tvoed/bund/a/2020?id=tvoed-bund-2020&matrix=1>

## LATVIA

Civil servants<sup>23</sup> usually begin from **7th pay grade** from all **16 monthly pay grades**.

<b>Lowest monthly salary</b> which is stated to civil servant	<b>655 EUR</b>
<b>The largest monthly salary</b> - for the Ministry's State Secretary	<b>2 441 EUR</b>

\* as of 31.12.2019

It should be noted that, **in addition** to the specified monthly salary, **additional allowances are possible for additional work** for the achievement of the objectives of the institution etc. **up to 60%**<sup>24</sup>.

## POLAND

Please see below the **total average monthly remuneration** by **groups of positions** in **2018** in EUR (before taxation - all contributions amounts to ca. one third of remuneration).

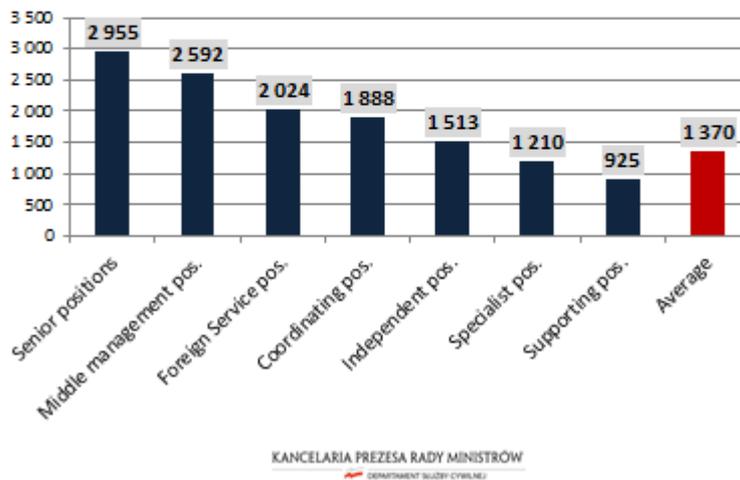
Some examples of the positions included to different groups of positions:

- **senior** (director general, director of department and deputy director)
- **middle management** (chief accountant)
- **coordinating** (head of unit)
- **independent** (counsellor general, counsellor to the minister, specialist (senior specialist, specialist, senior inspector)
- **supporting** (referent, inspector, secretary)

<sup>23</sup> Please see State Civil Service Law, Section 3.

<sup>24</sup> Legal measure, which defines the criteria for granting a performance related components are: Law On Remuneration of Officials and Employees of State and Local Government Authorities: <https://likumi.lv/ta/en/en/id/202273> and Regulations of the Cabinet of Ministers No.66 On wages and the procedures for the determination of wages of Officials and Employees of State and Local government Institutions (adopted on 29.01.2013.): <https://likumi.lv/ta/en/id/254560-regulations-regarding-work-remuneration-of-officials-and-employees-of-state-and-local-government-authorities-and-procedures-for-determination-thereof>.

## Total average monthly remuneration by groups of positions (in 2018 in EUR)



## PORTUGAL

### Compensation regime

The compensation regime in force includes three elements: **basic salary**, **pay supplements** and **performance bonuses**.

**Basic salary:** Defined as a fixed and permanent cash amount, due for the fulfilment of functions under the terms of the public employment legal relationships, corresponding to a determined pay step set out in the single pay scale.

The single pay scale includes the total pay steps and the cash amount corresponding to each one that may be used in setting public employees' basic salary. The single pay scale shall not predict compensation levels of amount lower than that of the minimum guaranteed monthly pay. It is approved by joint order of the Prime Minister and the Government member responsible for finance area.

The single pay scale encompasses the total pay steps capable of being used in pay scales of all general or special careers, as well as positions performed under a limited executive tenure.

The basic salary for each position held in a career (or in the category for the multi-categorical careers) is also set by the corresponding pay scale. Uni-categorical careers have a minimum of eight pay scales and multi-categorical careers comply with specific rules that set a minimum of eight pay scales for the lower category and a proportional decreasing number of pay scales for successively higher categories, ranging from six to two.

**Pay supplements:** Consists of increases to monthly compensation due to the fulfilment of functions in work positions that have more demanding conditions - in a transitional or permanent way - with regard to other work positions characterized by identical position or similar career and category.

Supplements are translated, as a rule, in established amounts and not in percentages of the basic salary, and are always referred to a concrete work position.

**Transitional supplements** are due when public employees fulfil functions in work positions that may be more demanding, namely: supplementary work; night work; work in weekly and complementary rest days, as well as public holidays; work outside the normal workplace.

**Permanent supplements** are due when public employees fulfil functions in work positions characterised by permanent greater demand, namely: hazardous, hard and unhealthy work; shift work; work performed in outlying areas; exemption from work schedule; secretarial board staff; other public employees handling, cash, valuable documents, securities, etc.

**Performance bonuses:** Set to reward outstanding performance and merit, consisting of an additional monthly basic salary granted to public employees who, cumulatively have obtained, in the last performance appraisal, the maximum rating or that one immediately lower to it and integrate the universes of staff entitled to these bonuses as previously defined by top managers and always considering the budget limits annually provided for.

Other rewarding systems may be created by law or collective labour regulation instrument, always considering annual defined budget availabilities.

### General regime careers standard compensation table

Careers		Structure (pay steps)	Basic Compensation Amounts	
			Starting EUR	Maximum EUR
professional	unicategorical	14	995.51	3 364.14
administrative staff	coordinator	4	1 149.99	1 561.92
	administrative	9	683.13	1 149.99
auxiliary staff	foreman general	2	1 047.00	1 149.99
	foreman	5	837.60	1 047.00
	auxiliary	8	635.07	837.60

### Managers' Compensation Scheme

Management staff compensation is generally determined as a percentage of the standard value (100%) set for the director-general position. However, the management staff statute envisages that their compensation be established in a specific legal text which may determine differentiated compensation levels, according to the type of public service in which functions are fulfilled.

The identification of compensation levels corresponding to basic compensations of 3rd grade middle management or lower management positions is established in a specific organic or statutory legal text that so provides them.

Top and middle managers are entitled to representation expenses to the amount set by Prime-Minister's order and the Government member responsible for Public Administration.

## Managers' Standard Compensation Table

Positions	%	Compensation EUR	Representation Allowance EUR
1 <sup>st</sup> Grade Top Managers	100	3 734.06	778.03
2 <sup>nd</sup> Grade Top Managers	85	3 173.95	583.81
1 <sup>st</sup> Grade Middle Managers	80	2 987.25	311.21
2 <sup>nd</sup> Grade Middle Managers	70	2 613.84	194.79

## SLOVAKIA

Civil servants are placed in the pay grade with exact sum of pay tariff according to the most difficult activities they perform. There are **9 pay grades** and the sum of the pay tariff may be regulated by the government regulation upon collective negotiation.

The sum of pay tariffs:

pay grades	sum of pay tariffs EUR
1	581,00
2	611,50
3	713,50
4	756,50
5	852,50
6	913,00
7	1 036,50
8	1 178,50
9	1 340,50

\* as of 1<sup>st</sup> January 2020

The total salary of a civil servant consists of the sum of the pay tariff, the surcharge/bonus for civil service experience (1% per year from the pay tariff) and other bonuses stipulated in the Civil Service Act. Personal surcharge/bonus for individual performance may be up to 100% of the pay tariff and can be increased or reduced for the quality of performance of official tasks or on results in performance appraisal for year.

## SLOVENIA

Average gross salary for junior civil servant	1 674 EUR
Average gross salary for senior civil servant	2 754 EUR

\*as of November 2019<sup>25</sup>

Methodological explanation:

Average gross salary = Sum of gross salaries/Number of employees by hours worked.

## SPAIN

The average net salary in the public sector reached 2 654.4 EUR in 2018<sup>26</sup>.

## SWEDEN

average pay for	SEK / month	EUR /month
central government employees	35 200	3 100
central government managers	53 500	4 700

\* as of September 2017

## HUNGARY

There was a new salary system was introduced<sup>27</sup> at the beginning of last year:

- the employer determines the amount of the salary according to the classification of the post and the salary band connected to it
- there is no seniority, the tasks belong to the position determines the salary

the payment of the lowest category	variation between 740 - 1 500 EUR
the payment in the highest category	variation between 1 780 - 4 400 EUR

<sup>25</sup> Source: Information System for the Transmission and Analysis of Data on Earnings, Other Payments and the Number of Employees in the Public Sector (ISPAP).

<sup>26</sup> Source: Encuesta de Población Activa (EPA) - Año 2018. Decil de salarios del empleo principal)  
[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj97\\_qkmKnnAhXH DmMBHdQvBQoQFjAAegQIAhAB&url=https%3A%2F%2Fwww.ine.es%2Fprensa%2Fepa\\_2018\\_d.pdf&usg=AOv Vaw1ZF20zQNI2Km7mwj51QKZ6](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj97_qkmKnnAhXH DmMBHdQvBQoQFjAAegQIAhAB&url=https%3A%2F%2Fwww.ine.es%2Fprensa%2Fepa_2018_d.pdf&usg=AOv Vaw1ZF20zQNI2Km7mwj51QKZ6)

<sup>27</sup> By Act CXXV/2018 on Government Administration.

## IV. HOLIDAYS / YEAR, BENEFITS (INCLUDING HEALTH INSURANCE)

### CZECH REPUBLIC

Annual leave of civil servants is **five weeks per a calendar year**<sup>28</sup>.

**Benefits** - some authorities provide

- **preschool facilities**, they contribute to meal vouchers or run their own canteens,
- other benefits include:
  - **5 sick days based on collective bargaining agreement**
  - creating conditions for **work and life balance** of civil servants<sup>29</sup>
  - up to 6 working days in a calendar year for studying purposes<sup>30</sup>
  - other benefits can also be provided by every service authority separately

### CROATIA

Under the Collective Agreement for civil servants and governmental employees, the **total duration of annual vacation** may not be less than **20 working days** or more than **30 working days per year**, except in the case of employees with special working conditions (for example inspectors).

Civil servants are also entitled to:

- **jubilee award** for continuous service or work in state bodies (depends on number of years in civil service)
- **annual extra for Christmas holidays**
- **general medical check up every three years**; the cost of mandatory (basic) health insurance for civil servants is at the expense of the employer, while the cost of supplementary health insurance (optional) is at the expense of the employee.

### EUROPEAN COMMISSION

Information on holidays and other benefits are covered by the Staff Regulations<sup>31</sup>.

**Leaves (summary)**

- officials are entitled to **annual leave of not less than twenty-four working days nor more than thirty working days per calendar year**. Apart from this annual leave an official, on application may, exceptionally be granted special leave.
- **pregnant women** are<sup>32</sup> entitled on production of a medical certificate to **20 weeks of leave**

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<sup>28</sup> Article 103 of CSA

<sup>29</sup> Idem, Article 116

<sup>30</sup> Idem, Article 108

<sup>31</sup> In particular, leave entitlements are covered in Articles 57-60, and social security benefits including health insurance are covered in Articles 72-76a.

- an official who provides evidence of being **unable** to carry out his duties by reason of illness or accident is entitled to **sick leave**.
  - The official concerned shall notify his institution of his incapacity as soon as possible and at the same time state his current address. He shall produce a medical certificate if he is absent for more than **three days**. This certificate must be sent on the fifth day of absence at the latest, as evidenced by the date as postmarked. Failing this, and unless failure to send the certificate is due to reasons beyond his control, the official's absence shall be considered as unauthorised<sup>33</sup>.
  - If, over a period of **12 months**, an official is **absent** for up to **three days because of sickness for a total of more than 12 days**, he shall produce a medical certificate for any further absence because of sickness. His absence shall be considered to be unjustified as from the thirteenth day of absence on account of sickness without a medical certificate.
  - Without prejudice to the application of the rules on disciplinary proceedings, where appropriate, any **absence considered to be unjustified** shall be deducted from the annual leave of the official concerned. In the event that the official has no outstanding leave entitlement, he shall lose the benefit of his remuneration for the corresponding period.
  - The Appointing Authority may refer to the **Invalidity Committee** the case of any official whose sick leave totals more than 12 months in any period of three years.
  - An official may be **required to take leave** after examination by the institution's medical officer if his state of health so requires or if a member of his household is suffering from a contagious disease.
  - Officials shall **undergo a medical check-up every year either by the institution's medical officer or by a medical practitioner chosen by them**. In the latter case, the practitioner's fees shall be payable by the institution up to a maximum amount fixed for a period of no more than three years by the Appointing Authority after consulting the Staff Regulations Committee.
  
- Except in case of sickness or accident, an official may **not be absent without prior permission from his immediate superior**. Without prejudice to any disciplinary measures that may apply, any unauthorised absence which is duly established shall be deducted from the annual leave of the official concerned. If he has used up his annual leave, he shall forfeit his remuneration for an equivalent period. If an official wishes to spend sick leave elsewhere than at the place where he is employed he shall obtain prior permission from the appointing authority.<sup>34</sup>

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<sup>32</sup> In addition to the leave provided for in Article 57 of CSA

<sup>33</sup> Article 59 of CSA

<sup>34</sup> Idem, article 60

## Social security benefits

- **An official<sup>35</sup>, his spouse**, where such spouse is not eligible for benefits of the same nature and of the same level by virtue of any other legal provision or regulations, **his children and other dependants** within the meaning of Article 2 of Annex VII **are insured against sickness up to 80 %** of the expenditure incurred subject to rules drawn up by agreement between the appointing authorities of the institutions of the Union after consulting the Staff Regulations Committee. This rate shall be increased to **85 % for the following services**: consultations and visits, surgical operations, hospitalization, pharmaceutical products, radiology, analyses, laboratory tests and prostheses on medical prescription with the exception of dental prostheses. **It shall be increased to 100 %** in cases of tuberculosis, poliomyelitis, cancer, mental illness and other illnesses recognized by the appointing authority as of comparable seriousness, and for early detection screening and in cases of confinement. However, reimbursement at 100 % shall not apply in the case of occupational disease or accident having given rise to the application of Article 73.

The **unmarried partner of an official shall be treated as the spouse** under the sickness insurance scheme, where the first three conditions in Article 1(2)(c) of Annex VII are met.

The appointing authorities of the institutions may, under the rules referred to in the first subparagraph, confer on one of their number the power to lay down the rules governing the reimbursement of expenses in accordance with the procedure laid down in Article 110.

- One-third of the contribution required to meet such insurance cover shall be charged to the official but so that the amount charged to him shall not exceed 2 % of his basic salary.
- 1a. An official whose service terminates and who provides evidence that he is not in gainful employment may, not later than one month following that in which his service terminates apply to continue, for a maximum of six months after termination of service, to be insured against sickness as provided in paragraph 1. The contribution referred to in the previous paragraph shall be calculated by reference to the last basic salary received by the official, half the contribution being borne by him.

By decision of the appointing authority taken after consulting the institution's medical officer, the period of one month for making application and the six months' limit specified in the preceding paragraph shall not apply where the person concerned is suffering from a serious or protracted illness which he contracted before leaving the service and of which he notified the institution before the end of the six months' period specified in the preceding subparagraph, provided that the person concerned undergoes a medical examination arranged by the institution.

1b. Where the ex-spouse of an official, a child who ceases to be an official's dependant or a person who ceases to be treated as a dependent child within

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<sup>35</sup> Idem, Article 72

the meaning of Article 2 of Annex VII to the Staff Regulations can provide evidence that he or she is not in gainful employment, he or she may continue for a maximum of one year to be insured against sickness as provided for in paragraph 1, in his or her capacity as insured persons covered under that official's insurance; this cover shall not give rise to the levy of a contribution. This one-year period shall commence on the date of the decree absolute of divorce or of the loss of status of dependent child or of person treated as a dependent child.

- 2. An official who has remained in the service of the Union until pensionable age or who is in receipt of an invalidity allowance shall be entitled to the benefits provided for in paragraph 1 after he has left the service. The amount of contribution shall be calculated by reference to the amount of pension or allowance.

Those benefits shall also apply to the person entitled to survivor's pension following the death of an official who was in active employment or who remained in the service of the Union until pensionable age, or the death of a person entitled to an invalidity allowance. The amount of contribution shall be calculated by reference to the amount of the survivor's pension.

2a. The following shall likewise be entitled to the benefits provided for in paragraph 1, on condition that they are not in gainful employment:

- (i) former officials entitled to retirement pensions who leave the service of the Union before reaching pensionable age,
- (ii) persons entitled to a survivor's pension as a result of the death of a former official who left the service of the Union before reaching pensionable age.

The contribution referred to in paragraph 1 shall be calculated by reference to the former official's pension before application, where appropriate, of the reduction coefficient provided for in Article 9 of Annex VIII to the Staff Regulations.

However, persons entitled to an orphan's pension shall not receive the benefit provided for in paragraph 1 unless they apply for it. The contribution shall be calculated by reference to the orphan's pension.

2b. In the case of persons entitled to a retirement pension or a survivor's pension, the contribution referred to in paragraphs 2 and 2a may not be less than that calculated by reference to the basic salary corresponding to the first step in grade AST 1.

2c. Officials dismissed in accordance with Article 51 and not entitled to a retirement pension shall likewise be entitled to the benefits provided for in paragraph 1, on condition that they are not gainfully employed and that they bear half the contribution calculated by reference to their last basic salary.

- 3. Where the total expenditure not reimbursed for any period of twelve months exceeds half the official's basic monthly salary or pension special reimbursement shall be allowed by the appointing authority, account being taken of the family circumstances of the person concerned, in manner provided in the rules referred to in paragraph 1.

- 4. Persons entitled to the foregoing benefits shall declare the amount of any reimbursements paid or which they can claim under any other sickness insurance scheme provided for by law or regulation for themselves or for persons covered by their insurance.

Where the total which they would receive by way of reimbursement exceeds the sum of the reimbursements provided for in paragraph 1, the difference shall be deducted from the amount to be reimbursed pursuant to paragraph 1, with the exception of reimbursements obtained under a private supplementary sickness insurance scheme covering that part of the expenditure which is not reimbursable by the sickness insurance scheme of the Union.

- 1. An official is<sup>36</sup>, from the date of his entry into the service, insured against the risk of occupational disease or accidents in the manner provided for in rules drawn up by common agreement of the appointing authorities of the institutions of the Union after consulting the Staff Regulations Committee. He shall contribute to the cost of insuring against non-occupational risks up to 0.1 % of his basic salary.

Such rules shall specify which risks are not covered.

2. The benefits payable shall be as follows:

(a) In the event of death:

Payment to the persons listed below of a lump sum equal to five times the deceased's annual basic salary calculated by reference to the amounts of salary received during the twelve months before the accident:

- to the deceased official's spouse and children in accordance with the law of succession governing the official's estate; the amount payable to the spouse shall not, however, be less than 25 % of the lump sum;
- where there are no persons of the category above, to the other descendant in accordance with the law of succession governing the official's estate;
- where there are no persons of either of the two categories above, to the relatives in the ascending line in accordance with the law of succession governing the official's estate;
- where there are no persons of any of the three categories above, to the institution.

(b) In the event of total permanent invalidity:

Payment to the official of a lump sum equal to eight times his annual basic salary calculated on the basis of the amounts of salary received during the twelve months before the accident.

(c) In the event of partial permanent invalidity:

Payment to the official of a proportion of the sum provided for in subparagraph (b), calculated by reference to the scale laid down in the rules referred to in paragraph 1.

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<sup>36</sup> Idem, article 73

As provided in these rules an annuity may be substituted for the payments provided for above.

The benefits listed above may be paid in addition to the benefits provided for in Chapter 3.

3. The following shall also be covered in the manner provided for in the rules referred to in paragraph 1: medical, pharmaceutical, hospital, surgical, prosthesis, radiography, massage, orthopaedic, clinical and transport expenses and any other similar expenditure incurred as a result of the accident or occupational disease.

Reimbursement shall, however, only be made where the amount paid to the officials under Article 72 does not fully cover the expenditure incurred.

- 1. On the birth of a child to an official<sup>37</sup>, the person who has actual care of the child shall receive a grant of EUR 198,31.

The same grant shall be paid to an official who adopts a child who is less than five years of age and is a dependant within the meaning of Article 2 (2) of Annex VII.

- 2. This grant shall also be payable in the event of a termination of pregnancy after not less than seven months.
- 3. The recipient of a grant on the birth of a child shall declare any grants of the same nature received from other sources for the same child; such grants shall be deducted from the grant provided for above. Where both parents are officials of the Union, the grant shall be paid once only.
- In the event of the death of an official<sup>38</sup>, an official's spouse or dependent child, or any other dependent person within the meaning of Article 2 of Annex VII who lived as part of the official's household, the institution shall reimburse the costs involved in transporting the body from the official's place of employment to his place of origin.

However, in the event of an official's death during a mission, the institution shall bear the costs involved in transporting the body from the place where death occurs to the official's place of origin.

- Gifts<sup>39</sup>, loans or advances may be made to officials, former officials or where an official has died, to those entitled under him who are in a particularly difficult position as a result of serious or protracted illness or by reason of a disability or family circumstances.
- A surviving spouse<sup>40</sup> who has a serious or protracted illness or who is disabled may receive financial aid increasing the pension from the appointing authorities of the institutions for the duration of the illness or disability on the basis of an examination of the social and medical circumstances of the person

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<sup>37</sup> Idem, article 74

<sup>38</sup> Idem, article 75

<sup>39</sup> Idem, article 76

<sup>40</sup> Idem, article 76a

concerned. Rules implementing this Article shall be fixed by common accord between the institutions, after consulting the Staff Regulations Committee.

## GERMANY

	Public employees	Federal civil servants
Holidays / Year (see details below)	30 days	30 days
Benefits (see details below)	grant to statutory health insurance (50 %)	allowances (paid to civil servants to cover medical expenses)
	statutory pension	civil servants' pensions and benefits

### Leave

All civil servants and public employees working five days per week receive **30 days of leave** per year.

Leave entitlement is **adjusted** accordingly for those working more or fewer than five days per week.

Based on special leave regulations, employees may also receive **paid leave at short notice** for special reasons, such as for certain family events, for a relocation for occupational reasons, to carry out civic duties or to care for sick relatives at short notice.

**Unpaid long-term leave** may be granted on request:

- to care for family members
- for other **important personal reasons** if operational circumstances permit, or
- to **perform a different task in the interest of the agency**, for example in public intergovernmental or international organizations or in the field of development aid.

Public employees performing work which is recognized as being more stressful (working in shifts or alternating shifts) are granted an additional leave of up to six working days per calendar year.

### Maternity and parental leave

Just as in the private sector, **women in the public service** are released from their duties for **six weeks before and eight weeks after birth** (twelve weeks in the case of premature and multiple births; in the case of premature births, also any of the six weeks not used before the birth).

Female civil servants continue to receive their salaries, whilst female employees receive a combination of **maternity benefit from the statutory health insurance and an allowance from the employer up to the amount of their salary**.

**After the birth of a child**, the parents may take a **total of three years of parental leave until the child has reached the age of three**. Parents may share or split this leave, or either parent may take the full three years alone. Up to **twelve months of the leave may be taken until the child's eighth birthday**; the employer must be

notified sufficiently in advance. In Germany all employees are entitled to this legal right.

**Parental leave is unpaid.** Like all other employees, civil servants and public employees caring for a child receive statutory, **income-based parental allowance.** This allowance currently amounts to between **65% and 100% of the average monthly net adjusted income**, but is at least **€ 300 and not more than €1 800 per month.** Additional benefits may be paid under certain conditions (multiple births or additional siblings).

### **Continued payment of salary in case of illness**

In case of **illness**, civil servants continue to receive **a salary for an unlimited period of time.**

In case of long-term illness, the early retirement procedure should be initiated. This is in line with the special nature of employment as a civil servant with life tenure and the duty of the employer to ensure the maintenance of such civil servants.

**Public employees who are not able to work** continue to receive their salaries for up to **six weeks.** If the illness continues for longer than six weeks, employees receive **“sick pay”** as a benefit from the social insurance fund of their health insurance from the seventh week onwards, **not to exceed 90% of the net salary.** In addition to the sick pay from health insurance, the **employer pays an allowance for up to 13 weeks** (if employed in the public service for more than one year) or **39 weeks** (if employed in the public service for more than three years). The allowance is based on the scheduled pay and pay components designated in monthly rates as well as on an average value of the last three months for pay components not designated in monthly rates. Overtime pay received during this period is not included. If the illness recurs, previous illnesses with the same medical cause must be counted subject to specified periods.

### **Service anniversaries**

After service of **25, 40 and 50 years**, civil servants receive an **“anniversary bonus”** of **€307, €410 or €512**, respectively, and a **day off.**

**Public employees** receive a **day off** and a **bonus of €350** after **25 years** and of **€500** after **40 years** of employment with the public service. Part-time employees receive the anniversary bonus in full.

### **Social security**

Civil servants, judges and military personnel are not included in the statutory social insurance.

Instead of these statutory social insurance schemes, civil servants, judges and military personnel are covered by **an independent social security system specifically for civil servants based on their special employment relationship.** Pensions are paid by the employer and are one of the basic principles of the professional civil service. The employer is also required to pay occupational accident benefits. Civil servants do not need to pay into the system of unemployment benefits since they are generally employed for life after completing a probationary period.

Civil servants are also required to take out **statutory or private health and long-term care insurance** to cover the risk of illness and the need for long-term care. The long-

term care insurance must be the same type as the health insurance. The scope of benefits in the case of the need for long-term care is subject to the relevant provisions in the Social Code.

Civil servants are required to insure themselves and their families against the risk of illness and the need for long-term care. Generally, this requirement is met by taking out a **private insurance policy**. Premiums must be paid from salaries and pensions. However, this private health and longterm care insurance has to cover only part of the costs incurred in the case of illness or the need for long-term care. **Civil servants are additionally entitled to allowances from their employer**. As a result of employers' obligation to take care of their civil servants and their families, employers refund a certain percentage of the necessary and appropriate costs incurred in the case of illness, need for long-term care and birth as well as costs for vaccinations and early detection of diseases in accordance with assessment rates expressed in percentage points.

The same holds true for **pensioners**.<sup>58</sup> In the federal public service, active civil servants **receive a 50% allowance** (with two entitled children 70%) and **retired civil servants a 70% allowance** to partially cover their illness-related costs. The civil servants' **insurance covers 70% of spouses' and 80% of children's health care costs**. If entitled dependants are already covered by the statutory health insurance as the primary insured (e.g. because they are in employment which requires compulsory social insurance), these insurance benefits pre-empt the right to allowances.

Persons who were covered by the statutory health insurance before becoming civil servants can opt to continue their coverage under the statutory health insurance scheme instead of changing to a private insurer. However, in this case they must pay all contributions themselves. In contrast to public employees they are not entitled to a subsidy from their employer.

Since 1 January 2005, civil servants who opted for continuing coverage for themselves and their families under the statutory health insurance scheme have had the possibility to change to a private health insurance scheme more easily.

## LATVIA

### Health Insurance and Accident Insurance<sup>41</sup>

(1) A State or local government authority may insure the health of officials (employees) in compliance with the financial resources granted to it, but the health of the official (employee) or accident insurance of the official (employee) shall be performed mandatorily in the cases specified in this Law. The State and local government authorities shall not insure the health of those officials (employees) for whom paid health care is determined in this Law.

(2) The price of the health insurance policy of an official (employee) may not exceed the amount determined in the regulatory enactments regarding personal income tax. If the price of an insurance policy exceeds the referred to amount, an official (employee) shall cover the difference of prices.

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<sup>41</sup> Law On Remuneration of Officials and Employees of State and Local Government Authorities: <https://likumi.lv/ta/en/en/id/202273>, section 37.

(3) The State and local government authorities shall insure the health of those officials (employees), who, while performing the duties of office (service, work), are subject to real life or health threat (risk). The State authority shall insure the health of those officials of the Corruption Prevention and Combating Bureau, who perform investigation and operational activity, as well as the health of those court experts, officials (employees) of the State Forest Service, the State Revenue Service and the State environmental inspectors of the Nature Conservation Agency, officials (employees) of the State Probation Service, who are subject to risk:

- 1) while participating in investigation activities;
- 2) while supervising forest fire safety, discovering, limiting and extinguishing forest fires, as well as supervising the observance of the regulatory enactments regulating hunting and use of forests;
- 3) while performing fishing control, the State control of environmental protection and use of natural resources, the control of protection and use of special areas of conservation of State significance, species and biotopes of special protection and microreserves, as well as supervision and control of radiation safety and nuclear safety;
- 4) while performing measures of social behaviour correction at the places of serving a sentence, attending convicted persons at the institutions of deprivation of liberty;
- 5) while performing supervision of persons upon whom a suspended sentence has been imposed, persons released from punishment before completion of the term of their sentence, as well as the supervision of the persons in respect of whom criminal proceedings have been terminated by conditionally releasing them from criminal liability, and while implementing probation programmes;
- 6) while organising and managing the execution of a criminal penalty - forced labour; and
- 7) while organising execution of a measure of compulsion - community work - of a correctional nature.

(4) A local government city council shall determine the positions in which the officials (employees) are subject to real life or health threat (risk).

(5) The Ministry of Foreign Affairs shall insure the health of all officials (employees) of the diplomatic and consular service, as well as shall insure all diplomats and officials (employees) of the diplomatic or consular service against accidents, if their place of service is in a foreign state. Moreover, the Ministry of Foreign Affairs shall insure the health of the family members of those diplomats and officials (employees) of the diplomatic and consular service, who are resettling to the relevant place of service in a foreign state. The amount of insurance shall be determined by the Ministry of Foreign Affairs in compliance with financial resources granted for it.

(6) The health insurance and accident insurance of the specialised attaches shall be ensured by that State authority which has appointed them in compliance with financial resources granted for it.

## Leave<sup>42</sup>

### Annual Paid Leave

(1) Every employee has the right to annual paid leave. Such leave may not be less than four calendar weeks, not counting public holidays. Persons under 18 years of age shall be granted annual paid leave of one month.

(2) By agreement of an employee and the employer, annual paid leave in the current year may be granted in parts, nevertheless one part of the leave in the current year shall not be less than two uninterrupted calendar weeks.

(3) In exceptional cases when the granting in the current year of the full annual paid leave to an employee may adversely affect the normal course of activities in the undertaking, it is permitted to transfer part of the leave to the subsequent year with the written consent of the employee. In such case, the part of the leave in the current year shall not be less than two consecutive calendar weeks. The part of the transferred leave shall as far as possible be added to the leave of the next year. Part of the leave may be transferred only to the subsequent year.

(4) The provisions of Paragraph three of this Section shall not apply to persons who are under 18 years of age, pregnant women and women during the period following childbirth up to one year, but if a woman is breastfeeding then during the whole period of breastfeeding, but no longer than until two years of age of the child.

(5) It is not permitted to compensate annual paid leave with money, except for the cases when employment relationships are terminated and the employee has not utilised his or her annual paid leave. An employer has the obligation to disburse remuneration for the entire period for which the employee has not used his or her annual paid leave.

(6) After annual paid leave, an employee has the right to such improvements to working conditions and employment provisions to which he or she would have been entitled if he or she had not be on leave. This provision applies also to the leave referred to in Sections 151, 153, 154, 155, 156 and 157 of this Law, as well as to employees during sick leave or during the non-performance of work due to other justifiable reasons.

### Supplementary Leave

(1) Annual paid supplementary leave shall be granted to:

1) employees caring for three or more children under the age 16 years or a child with a disability in the age of up to 18 years - three working days;

2) employees whose work is associated with a special risk - at least three working days;

3) employees caring for less than three children under 14 years of age - at least one working day.

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<sup>42</sup> Labour Law: <https://likumi.lv/ta/en/en/id/26019>, sections 149, 151, 153-157

(2) A collective agreement or an employment contract may determine other cases (night work, shift work, long-term work, etc.) where an employee shall be granted annual paid supplementary leave.

(3) Annual paid supplementary leave shall be transferred or extended in case of temporary incapacity of an employee.

(4) The annual paid supplementary leave for the current year shall be granted and it shall be used until the annual paid leave of the next year.

(5) It is not permitted to compensate the annual paid supplementary leave with money, except for the case when the employment relationships have been terminated and the employee has not used his or her annual paid supplementary leave.

### **Leave without Retention of Remuneration**

(1) An employer may grant a leave without retention of remuneration, if it is requested by an employee to the care and supervision of which a child to be adopted has been given before the approval of adoption by a court on the basis of a decision of the Orphan's and Custody Court. Such leave shall be granted for the time period as is specified in the decision of the Orphan's and Custody Court on the care and supervision of the child to be adopted. If the Orphan's and Custody Court takes a decision on the extension of the time period for care and supervision, the leave shall be extended up to the time of the coming into effect of the court decision on the approval of the adoption. Such leave shall be counted in the total length of service, but it shall not be counted towards the annual paid leave.

(1<sup>1</sup>) An employer shall grant a leave without retention of remuneration when requested so by an employee taking care of a child in the capacity of a foster family or a guardian, as well as by an employee who is actually caring for and upbringing another person's child in accordance with a decision by an Orphan's and Custody Court. Such leave shall be granted for the time period which is laid down in the decision of the Orphan's and Custody Court, but no longer than until the child is one and a half years old. Such leave shall be counted in the total length of service, but it shall not be counted towards the annual paid leave.

(1<sup>2</sup>) An employer shall grant leave without retention of remuneration to an employee who is performing his or her service in the National Guard of the Republic of Latvia, provided that the Commander of the National Guard unit has informed the employer regarding involvement of the employee in the execution of the tasks of the National Guard in accordance with the time period and procedures laid down in the laws and regulations governing the service in the National Guard. The leave without retention of remuneration shall be granted for a term specified in the statement issued by the Commander of the National Guard unit.

(2) The previous position of an employee who uses the leave referred to in Paragraph one, 1.<sup>1</sup> and 1.<sup>2</sup> of this Section shall be preserved. If this is not possible, the employer shall ensure similar or equivalent position with not less advantageous working conditions and employment provisions.

(3) An employer, upon the request of an employee, may grant him or her leave without retention of remuneration also in other cases.

## **Prenatal and Maternity Leave**

(1) Prenatal leave of 56 calendar days and maternity leave of 56 calendar days shall be summed and 112 calendar days granted irrespective of the number of days of prenatal leave that have been utilised prior to child-birth.

(2) A woman who has initiated pregnancy-related medical care at a preventive medical institution by the 12th week of pregnancy and has continued for the whole period of pregnancy shall be granted a supplementary leave of 14 days, adding it to the prenatal leave and calculating 70 calendar days in total.

(3) In case of complications in pregnancy, childbirth or postnatal period, as well as if two or more children are born, a woman shall be granted a supplementary leave of 14 days, adding it to the maternity leave and calculating 70 calendar days in total.

(4) Leave granted in connection with pregnancy and childbirth shall not be included in annual paid leave.

(5) A woman who makes use of prenatal or maternity leave shall have ensured her previous position. If this is not possible, the employer shall ensure the woman similar or equivalent work with not less favourable working conditions and employment provisions.

## **Leave to Father of a Child, Adopters and Other Persons**

(1) The father of a child is entitled to a leave of 10 calendar days. Leave to the father of a child shall be granted immediately after the birth of the child, but not later than within two months from the birth of the child.

(2) If a mother has died in childbirth or within a period up to the 42nd day of the period following childbirth, or in accordance with the procedures prescribed by law has refused to take care and bring up the child up to the 42nd day of the period following childbirth, the father of the child shall be granted leave for the period up to the 70th day of the child's life. The abovementioned leave shall be granted also to another person who actually takes care of the child.

(3) If a mother cannot take care of the child up to the 42nd day of the period following childbirth due to illness, injury or other health-related reasons, the father or another person who actually takes care of the child shall be granted leave for those days on which the mother herself is not able to take care of the child.

(5) For a family, which has adopted a child up to 18 years of age, one of the adopters shall be granted 10 calendar days of leave.

(6) A child's father, adopter or another person who in fact cares for the child and who makes use of the leave referred to in this Section shall have preserved his or her previous position. If this is not possible, the employer shall ensure the child's father, adopter or another person who in fact cares for the child similar or equivalent position with not less favourable working conditions and employment provisions.

## **Parental Leave**

(1) Every employee has the right to parental leave in connection with the birth or adoption of a child. Such leave shall be granted for a period not exceeding one and a half years up to the day the child reaches the age of eight years.

(2) Parental leave, upon the request of an employee, shall be granted as a single period or in parts. The employee has the obligation to notify the employer in writing one month in advance of the beginning and the length of the parental leave or parts thereof.

(3) The time spent by an employee on parental leave shall be included in the total length of service.

(4) The previous position of an employee who makes use of parental leave shall be retained. If this is not possible, the employer shall ensure similar or equivalent position with not less advantageous working conditions and employment provisions.

(5) An early termination of parental leave before the term of the granted leave shall be performed according to the procedures laid down by the collective agreement or employment contract, or based on the agreement between the employer and the employee. An employee has the right to return to work by notifying the employer thereof no less than two weeks in advance, if objective grounds for further parental care no longer exist.

### **Study Leave**

(1) An employee who, without discontinuing work, studies at an educational institution of any type shall be granted study leave with or without retention of salary in accordance with a collective agreement or an employment contract. If a piecework salary has been specified for the employee, study leave shall be granted disbursing average earnings or not disbursing it.

(2) An employee shall be granted a study leave of 20 working days for the taking of a State examination or the preparation and defence of a diploma paper with or without retaining the salary. If a piecework salary has been specified for the employee, a study leave shall be granted with or without disbursing the average earnings.

### **LUXEMBOURG**

Annual holidays amount to **32 working days**. They shall consist of **34 working days** from 1 January of the year in which the public official reaches the age of **50 years** and **36 working days** from 1 January of the year in which the official reaches the age of **55 years**.

### **POLAND**

The basic benefits are based at general law applicable to all citizens.

Generally, civil service corps members are entitled to **26 working days of holidays per year**. There is an exception with regard to appointed (nominated) civil servants who constitute ca 6,4% of the civil service corps (7 593 out of 118 000 - data for 2018). This group enjoys additional holiday days: **after 5 years of service 1 day**, and **after each next year 1 day more, up to 12 additional days maximum**.

Also **health insurance** general rules for all citizens applies to the civil service corps members. However, as in Poland, management in the civil service is highly

decentralized, with important role of the director generals regarding HRM, additional conditions or benefits may vary between offices.

General rules for all citizens regarding **maternity and parental leaves** also apply to civil service (**20 weeks of paid maternity leave plus max. 32 weeks of paid parent leave**).

## **PORTUGAL**

### **Holidays' system**

Holidays constitute a right that cannot be waived by the public employee and its enjoyment shall not be replaced by any economic compensation of any kind whatsoever.

The right to holidays is obtained on the 1<sup>st</sup> January of each calendar year and, as a rule, is related to the service performed in the preceding calendar year.

Each public employee is entitled to a minimum holiday period of **22 remunerated working days**, without meal allowance.

**One day for each ten years** of length of service actually performed is **added** to the previously mentioned holiday period.

The minimum holiday period may still be increased within the framework of performance rewarding systems.

Each public employee is entitled to a holiday allowance to be paid, as a rule, in June of each calendar year. The aforementioned increases shall not give right to increase in the amount of the holiday allowance.

### **Right to holidays in the contracting year**

In the contracting year the public employee is entitled, after six full months of execution of the contract, to enjoy **two working days of holidays for each month of duration** of the contract up to the maximum limit of twenty working days

In contracts with duration lower than six months the public employee is entitled to enjoy 2 working days of holidays for each full month of duration of the contract, and shall be enjoyed at the moment immediately prior to the termination of the contract, unless otherwise agreed by the parties

### **Booking and enjoyment of holidays**

Holidays shall be enjoyed, as a rule, in the course of the calendar year in which they are due, in a followed or interpolated way, provided that in one of the periods, at least, **10 consecutive working days are enjoyed**.

Holidays shall be booked by 30 April of each year, in accordance with the interest of the parties.

Failure to reach an agreement it is the responsibility of the public employer to book and draw up the respective holiday map pursuant to criteria set in the law, by hearing public employees' representatives for this purpose

### **Accumulation**

Holidays may be enjoyed by 30 April of the following calendar year, in accumulation or not with holidays due at the commencement of this one, by agreement between the

public employer and the public employee or whenever this one wishes to enjoy holidays with family members residing abroad

### **Interruption**

The enjoyment of holidays may be interrupted by impediments invoked by any of the parties:

a) By the public employee

When in the public employee's interest, this one shall enjoy the missing holidays at the term of the impediment

b) By the service

When in the service's interest, the public employee shall be compensated by the damages proven suffered

### **Holidays and contract vicissitudes**

#### **Termination of the contract**

In situations of termination of the contract the public employee is entitled to the compensation corresponding to the holiday period not enjoyed and the respective allowance and the proportional to the length of service fulfilled until the contract termination date.

### **Benefits (including health insurance)**

#### **Social Protection**

Pursuant to the Constitution of the Portuguese Republic, the social security system shall protect citizens in illness, and old age, and when they are disabled, widowed or orphaned, as well as when they are unemployed or in any other situation that entails a lack of or reduction in means of subsistence or ability to work.

The social protection of workers fulfilling public functions is materialised by means of the integration in the Social Security General Scheme (SSGS) or in the Convergent Social Protection Scheme (CSPS).

The integration in any of these schemes depends upon the employee have been covered by the former "Civil Service Social Protection Scheme" (CSPS) or by the SSGS. All employees of public employer entities entered after 1<sup>st</sup> January 2006 are compulsorily framed in this latter scheme.

The social protection of employees fulfilling public functions is framed in the social security scheme and it ensures, in any of the schemes:

- a) cash benefits replacing work incomes lost as a result of the occurrence of the following contingencies:
- Illness
  - Maternity, paternity and adoption (parenthood)
  - Unemployment
  - Accidents at work and occupational diseases
  - Disability
  - Old age
  - Death (survivor's pension and death allowance).

- b) Benefits within the scope of family protection in the following eventualities:
- Family-related expenses
  - Disability-related expenses
  - Dependence related expenses

Further information and details on this subject may be found at:

<https://www.dgaep.gov.pt/en/index.cfm?OBJID=D3518917-5964-448B-B341-2FF3228D56DC>

and at: <https://www.dgaep.gov.pt/stap/EN/index.cfm?objid=4f5993e2-0be5-41b3-ad74-eb96bee19b52>.

## Health Subsystems

All public employees, in the capacity of beneficiaries, are entitled to benefits of the State Health Care System (ADSE) or of other Public Administration health subsystem to which they are bound, compulsorily or by option, irrespective of the social protection system where they are covered, provided that they pay the respective contributions and comply with the requirements defined by regulation applicable to each concrete case.

The non-payment of the remuneration, namely due to the occurrence of any eventuality of social protection, shall not exempt from the obligation to pay their contribution.

The benefits related to the delivery of healthcare may be used outside the scope of ADSE or in the framework of agreement of ADSE with healthcare providers. The remaining benefits provided for in the law and in a regulation shall be requested under the terms defined for each subsystem.

The use of official health services integrated in the National Health Service, as well as the co-participation of the State in medicines acquired in the pharmacies materialize the right of all citizens to health, as laid down in the article 64 of the Constitution of the Portuguese Republic, not constituting therefore benefits of health subsystems.

This information is available at:

<https://www.dgaep.gov.pt/stap/EN/index.cfm?objid=59e4c30c-7459-48c3-a8e1-90488a7c6995>

## SLOVAKIA

**Work - life balance in civil service** is set and regulated on the level of Civil Service Act and on the level of collective agreements that can provide favourable conditions for civil servants in specific areas above the level regulated by law.

Civil service act provides benefits as **non - paid sabbatical leave maximum for 3 months after 5 years of service** or a **supplement to income compensation** that is granted for a maximum of **10 days of temporary incapacity for work**.

Examples of favourable conditions provided by collective agreements such as:

### Non-financial benefits include:

- shorter working week (37,5 hours/ week)
- flexible working time
- longer annual leave (1 week over the Act on Civil Service)
- day off (across central public administration it varies from 1 day to 3 days per year)

- extra day off per year for taking care of children until 16 years of age.

#### Financial benefits -financial help in difficult situations:

- the death of a spouse or a child
- natural disaster
- temporary long-term illness
- long-term care of family members
- financial support for childbirth
- supplement for pension savings
- utilization of holiday facilities

### SLOVENIA

The heads of state bodies are responsible for making the decisions on the rights and obligations of the public employees arising out of employment relationships.

The length of annual leave in the state bodies depends on:

- the **length of service** (from **16 to 24 days**)
- the complexity of the job (from **2 to 5 days**)
- work **performance** (maximum **3 days**)
- working **conditions** (maximum **3 days**) and
- **social and health conditions and age** (several criteria for example **1 day** for a child up to 15 years, **5 days** for **disability and age**).

The Collective Supplementary Pension Insurance for Public Employees Act regulates the basis for the collective supplementary pension insurance for public employees employed in bodies corporate under public law.

The Police and the General Staff of the Slovenian Armed Forces have additional benefits according special working conditions. The benefits are set out in the specific regulations.

### SPAIN

**Working time** in Central State Administration is ruled by Resolution of Secretary of State of Public Administrations (2019), and applicable to State General Administration and its Public Bodies.

- **General working hours** are **37.30 hours**. Mandatory attendance is fixed from 9.00 to 14.30 hours, from Monday to Friday. Weekly timetable of staff with special work schedule is 40 hours, regardless extra time that exceptionally is needed if the interests of the service so require.

There are several measures about **reduction of working hours** because of work life balance reasons. For instance: to care of children under 12, for legal guardianship reasons (different of previous one), to care elderly or disabled family members, for serious familiar illness, etc.

There are several measures about **working time flexibility** because of work life balance reasons: to care children under 12, to care elderly or disabled family members, to care disabled children in order to compatibility working hours with school hours, single-parent families, etc.

- **Holidays:** As a general rule, Civil servants shall have the right to **22 working days of paid vacations** each calendar year or the proportional number of days if the employee did not work the full year. Plus, **six days per year** for personal reasons.
  
- **Other benefits.** Civil servants shall have the following **leave of absences:**
  - for the death, accident or serious illness of a family member to the first degree of consanguinity or marriage
  - for the death, accident or serious illness of a family member to the second degree of consanguinity or marriage
  - to move to another domicile without a change of locality
  - to carry out trade union or workers' representation duties
  - to sit final examinations or other definitive aptitude tests
  - for the time required for undergoing prenatal examinations and techniques to prepare for giving birth attended by pregnant employees and in the cases of adoption or custody for adoption purposes, or foster care, to attend the informative and preparatory meetings and for carrying out the required psychological and social tests prior to being considered qualified, when these can only be carried out during working hours.
  - to breastfeed a child under the age of twelve months
  - for the birth of premature children or children who for any other reason must bf
  - for reasons of legal guardianship, when the civil servant has under his/her direct care someone under the age of twelve, an elderly person who requires special attention or a person with a disability who does not perform paid work.
  - if required to handle the care of a family member of the first degree, the civil servant shall be entitled to request a reduction of up to fifty percent of the working day, paid, for reasons of very serious illness and for a maximum of one month.
  - for the time essential to fulfil an unavoidable obligation of a public or personal nature and for obligations related to a balanced work and family life.
  - by reason of marriage
  - leave of absence for reason of reconciling personal and family life with work: Maternity leave, Leave by reason of adoption, custody for adoption purposes, or foster care that is temporary or permanent; Paternity leave for birth, custody for adoption purposes, fostering or adoption of a child; Leave due to gender-based violence against a female civil servant; Leave by reason of caring for a minor child with cancer or other serious disease and leave for victims of terrorism and their immediate family members.

All kind of absences must be communicated to hierarchical superior and justified in order to be taken into account as paid working time, as well as registered in the electronic time recording system.

In case of sickness, there are only 4 paid sick days annually (even with doctor's prescription). Any major absence will entail a proportional reduction of salary, although there are some exceptions, such as serious illnesses or surgical operation.

## SWEDEN

The general working conditions in central government sector are described in the publication Working as a central government employee. According to the collective agreement an employee can, beside the common working conditions in the national agreement, have agreements on individual conditions if the employer so decide.

All employees in Sweden are entitled to five weeks' holiday. The collective agreement gives a government employee more days of holiday. Within the central government sector, there are different agreements that regulate holiday issues. A government employee is entitled to paid holiday time during the first year of employment.

**Holiday varies according to age:**

Age	Days
-29	28
30-39	31
40-	35

**One can save holiday**

Regardless of whether one's holiday is regulated by any of the agreements, one **must take at least 20 of the year's days of holiday during the year** and can save the remaining days up to a **maximum of 30 saved days of holiday**.

**Becoming a parent**

With **parental leave**, compensation is usually paid by the social insurance agency Försäkringskassan. To make parental leave easier, **central government sector employers pay supplementary remuneration**. As the parent of a young child, one also has the opportunity to work part-time. As a new parent, one can receive a parent's allowance from Försäkringskassan while at home with the child. The amount is a maximum of **80 per cent of salary up to ten price basis amounts**. **Government employees** receive a supplementary allowance from their employer for up to **360 days while receiving a parent's allowance**. This is called a **parent's allowance supplement** and means a total allowance corresponding to **90 per cent of salary**. For employees who are subject to the Särskilt villkorsavtal för vissa tidsbegränsade anställningar (VASA), no parent's allowance supplement is paid.

**Child illness**

When one needs to take leave because your child is ill, you can receive a **temporary parent's allowance** from Försäkringskassan. The allowance is **80 per cent of the salary up to 7.5 price basis amounts**. For **government employees** who have an income over this price basis amount ceiling, the **employer pays a supplement** to temporary parent's allowance for up to **ten days per year**. The supplement means that altogether one receives an allowance corresponding to **80 per cent of one's entire salary** during these days.

**Reduced working hours**

All parents in the labour market are entitled to reduce their working hours by up to **25 per cent of full time until the child reaches the age of eight or has finished his or her first year of school**. As a government employee, one also has the opportunity to

apply to reduce one's working hours to care for a child up until the end of the school year in which the child reaches the age of ten. One's employer decides whether to approve this leave or not. Parental leave means that one's salary is correspondingly reduced.

### **Other types of leave**

Other types of leave that apply in the labour market include the opportunity to take **leave for studies** or to **care for a close relative** and the right of **immigrants to take leave to learn Swedish**. For these types of leave, **no salary is paid**, but sometimes an **allowance** may be paid by Försäkringskassan, for example. As a government employee, one may be able to take paid leave for certain other purposes, such as **visits to a doctor**, **acute dental care** or the **funeral of a close relative**. Leave may also be granted for other purposes, but without pay.

### **Becoming ill**

#### **The first 14 days**

If one becomes ill and are unable to work, one is entitled by law to **sick pay** from the employer during the first **14 days**. Sick pay is a qualifying deduction made from the calculated sick pay, which is equivalent to 20 per cent of what one would have been paid as sick pay during an average working week.

#### **If one is ill for longer than 14 days**

After the sick pay period, one can receive a **sickness allowance** from Försäkringskassan. The sickness allowance is about **80 per cent of one's salary** up to a ceiling of 8 price basis amounts. For **central government employees**, the employer supplements the sickness allowance from Försäkringskassan. During **day 15 to 365**, government employees receive a total of about **90 per cent of their normal income**. With longer absences due to illness, the employer supplements the sickness allowance from Försäkringskassan.

### **Compensation for health care expenses**

Compensation for health care expenses may be given by some central government sector employers depending on one's local agreement. This means that one may receive compensation from one's employer in connection with illness, such as certain compensation for one's expenses when going to a doctor or physiotherapist or when admitted to hospital. One may also receive compensation for certain medicines, provided that they are covered by society's high-cost protection.

### **Injured at work**

If one should suffer an occupational injury, one may be entitled to compensation for loss of income and aches and pains.

An occupational injury means an injury or illness caused by an accident or other injurious effect at work. A number of infectious diseases can also be regarded as occupational injuries.

### **Serious accidents or serious nearaccidents**

According to the Work Environment Act, the employer shall without delay inform the Work Environment Authority of accidents or other injurious incidents at work that have

caused death or serious injury or have affected a number of employees. The same applies to near-accidents that have involved a serious risk to life or health.

## **Accidents**

For an accident to be regarded as an occupational injury, it must be connected with work. This applies to accidents both at the workplace and if work is being performed at another place. Accidents that occur during business travel can be regarded as accidents at work. Also, accidents that occur during the direct journey to or from work can also be regarded as accidents at work.

## **Occupational illnesses and infection**

Illnesses and infections that relate to something at work can in some cases be regarded as occupational illnesses.

## **Compensation from Försäkringskassan and the employer**

If one suffers an occupational injury, one may be entitled to certain compensation under the general occupational injury insurance. The compensation is paid by Försäkringskassan. As a **government employee**, one may also be entitled to supplementary compensation through the Avtal om ersättning vid personskada, PSA. This can cover loss of income, aches and pains, health care expenses and compensation for disability. In the event of death, surviving relatives may be entitled to compensation under the Agreement on Government Service Group Life Insurance, TGL-S and surviving relative's pension, according to the pension provisions.

## **HUNGARY**

The **annual holiday** is made up of **basic holiday (20 days per year)** and **additional/extra holidays** (depending on **position**, the number of **children**, other **health-based reasons** which factors make the number of holidays individual and different).

Instead of the additional holidays, the **leaders** have '**managerial**' extra holidays (**head of section: 5 days, head of department: 10 days**),

Different types of merit acknowledgement:

- **written praise**
- **performance/motivational/position-based/service acknowledgement**

"Cafeteria-benefits": a determined amount (**593 EUR/year**) can be used for holiday activities, accommodation and dining,

**Housing benefits**> contribution to rent a flat, interest-free loan etc.

## **Social benefits**

- special benefits for government officials with **children** (financial support for **school starts, child raising support**)
- contribution to **studies** (training, **language courses, scholarships**)
- contribution to **medical examinations**
- **crisis support** (in case of unexpected circumstances with significant financial burden).

## V. NUMBER OF CIVIL SERVANTS VS. NUMBER OF CIVIL SERVICE POSITIONS AT NATIONAL LEVEL

### AUSTRIA

There are two types of employment relationship in the Federal Civil Service, which are governed by public and private law, respectively.

**Public-law employment** (i.e. “classic” civil servants - Beamte) is still predominant although the number of civil servants has been going down for a number of years now. This type of employment relationship is based on a **sovereign act of the state**, namely the appointment of the civil servant, and only expires upon his/her death (or resignation or dismissal).

**Private-law employment relationships**, on the other hand, are based on a contract of employment as in the private sector (hence the German term “Vertragsbedienstete”) and end upon the employee’s retirement (or resignation or dismissal). Due to the restrictive policy on appointing civil servants, their number among Federal Civil Service staff is steadily decreasing. Measures to reduce the number of civil servants are aimed at those occupational groups where private-law employment contracts are a possible alternative to appointment under public law. This applies to the administrative service, as well as to teachers and nurses.

Proportion of civil servants by occupational group:

Occupational group	Percentage of occupation
Judges & prosecutors	100%
Law enforcement (police)	91.7%
Military	90.8%
Administrative service	44.8%
Teachers	24%

### CZECH REPUBLIC

Contract Type	Number of civil servants	Number of civil service posts
indeterminate duration	57 567	69 791
fixed-term duration	4 340	

\* as of October 2019

### CROATIA

Number of civil servants	Number by Type of employment	Total number of positions in civil service
54 372	52 942 non-fixed term	97 946
	1 430 fixed term	

## EUROPEAN COMMISSION

<b>FUNCTION (GROUP)</b>	<b>Number of staff members</b>	<b>Percentage</b>
Senior manager (SM)	355	1.1%
Middle manager (MM)	1 119	3.4%
<b>Non-management</b>		
Official AD	1 1725	35.7%
Official AST	7 454	22.7%
Official AST/SC	490	1.5%
Temporary staff (TS) AD	769	2.3%
Temporary staff (TS) AST	370	1.1%
Temporary staff (TS) AST/SC	396	1.2%
Contract staff	7 478	22.8%
Special adviser (SA)	22	0.1%
Local staff (LS)	2 118	6.4%
Staff under national law (SNL)	551	1.7%
<b>TOTAL</b>	<b>32 847</b>	<b>100%</b>

\* as of 1 January 2020

More information on Numbers of civil servants are published here: [Key Figures on European Commission Staff](#).

## GERMANY

In Germany round about 4.8 million people work in the civil service:

Sector	Total	Civil servants and judges	Public employees	Career military and fixed-term volunteers
Federal sector	496 295	183 405	145 260	167 635
Federal state sector	2 419 840	1 287 485	1 132 360	0
Local administration sector	1 518 595	187 600	1 330 995	0
Social insurance	368 150	29 495	338 655	0

\* as of 2018

No. of civil service positions at national level in the federal sector:

Sector	Total	Civil servants and judges	Public employees	Career military and fixed-term volunteers
Federal sector	447 217	162 126	105 002	180 089

\* as of 2018

## LATVIA:

Total of civil servant posts	Civil servants employed
12 584	11 562

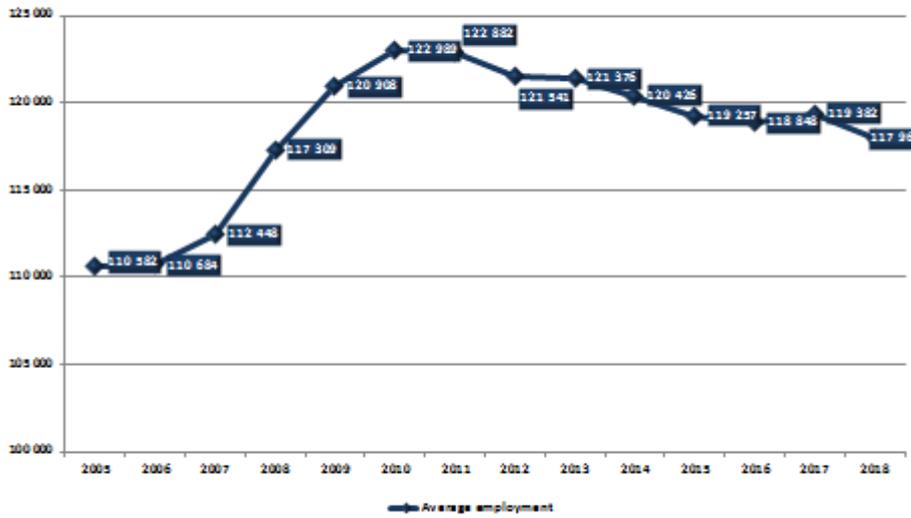
\* as of 31 December 2019

## LUXEMBOURG

Statutory civil servants	17 675
State employees	7 643
State salaried staff	2 498
Police volunteers	94
Military volunteers	420
<b>IN TOTAL</b>	<b>28 326 public officials</b>

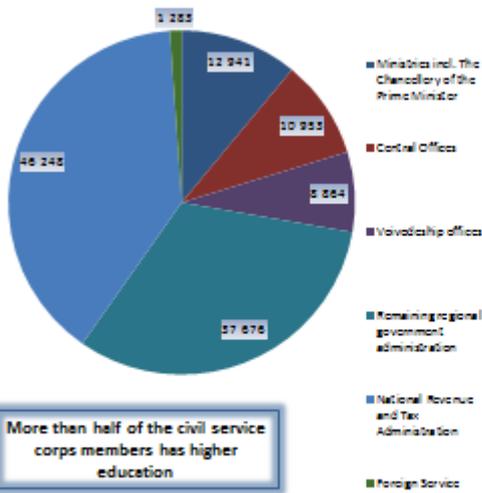
\* as of 31 December 2018

Average employment in FTE – Full Time Equivalent



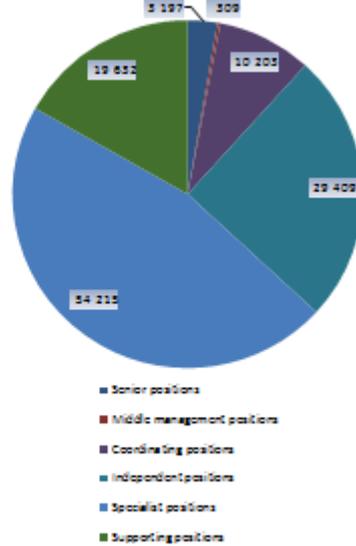
KANCELARIA PREZESA RADY MINISTRÓW  
DEPARTMENT BUDŻET CYWILNY

Employment by groups of offices



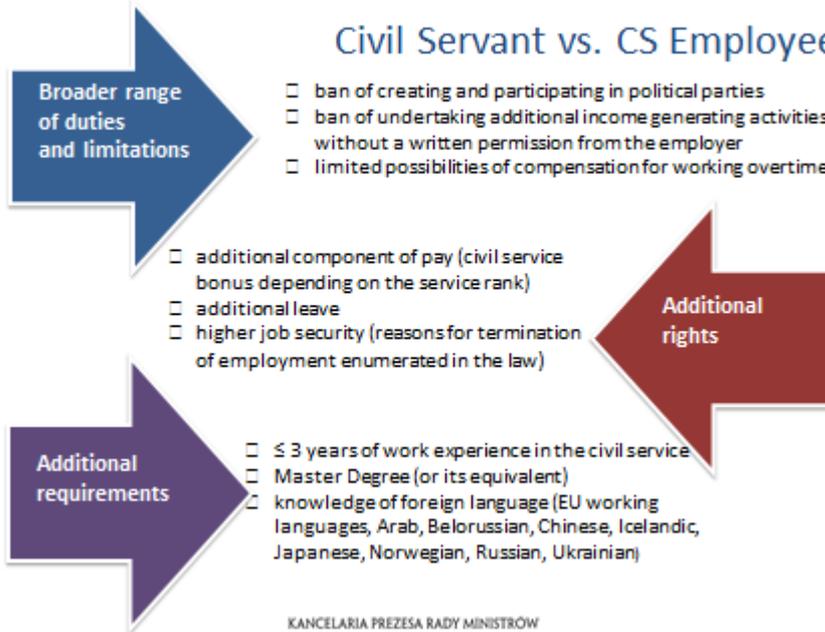
More than half of the civil service corps members has higher education

Employment by groups of positions



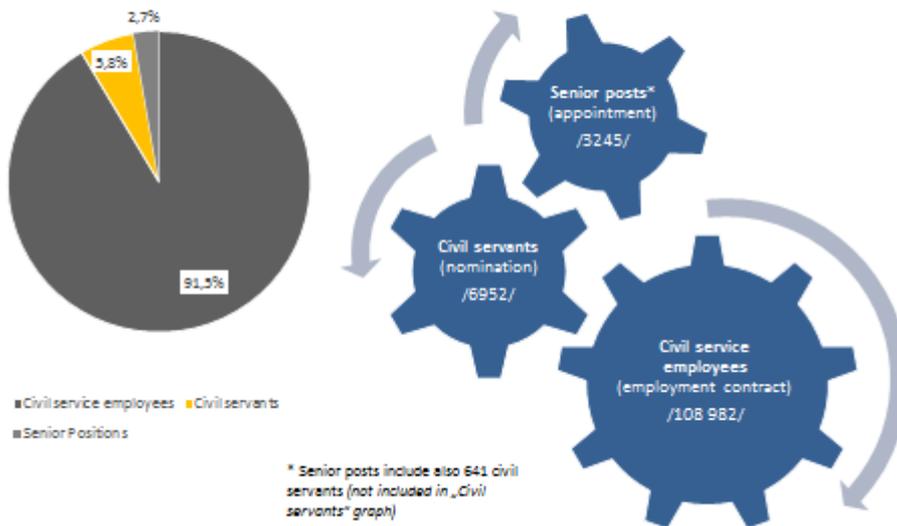
KANCELARIA PREZESA RADY MINISTRÓW  
DEPARTMENT BUDŻET CYWILNY

## Civil Servant vs. CS Employee



## Employment statuses in civil service

FTE on 31.12.2018



## PORTUGAL

Career/Staff Group	Total on 2019.09.30
Top manager	1 719
Middle manager	11 047
Professionals	66 089
Administrative staff	87 153
Support staff	157 180
Doctor	30 838
Nurse	48 573
Early childhood, basic, middle and high school teaching staff	132 550
ICT staff	5 139
Inspection staff	1 759
Military	25 580
Security forces	51 448
Diplomat	397
Scientific research staff	3 317
Taxes and borders staff	9 347
Magistrate	3 819
University teaching staff	14 742
Polytechnic teaching staff	9 068
Diagnostic and Therapeutic staff	9 601
Health professional	1 966
Registrar and Notary	590
Registry and Notary Officer	3 908
Justice Officer	7 718
Firefighter	2 305
Municipal Police	1 536

Source: DGAEP/DIOEP - SIEP 3<sup>rd</sup> Quarter 2019, 27 November, available at:  
[http://www.dgaep.gov.pt/upload/DIOEP/2019/SIEP3T/DGAEP\\_DIOEP\\_SIEP\\_2019\\_T3\\_27112019.pdf](http://www.dgaep.gov.pt/upload/DIOEP/2019/SIEP3T/DGAEP_DIOEP_SIEP_2019_T3_27112019.pdf)

Further data in English available at:  
<https://www.dgaep.gov.pt/en/index.cfm?OBJID=EC44A769-1753-4BB9-B24B-37B6D334193C>

## SLOVAKIA

In the Slovak republic there are approx. **35 000 civil servants**.

We do not have the exact data on the vacant positions, but we assume that there are vacancies between **2 000 - 2 500 civil service positions**.

From the 1st January 2020 the service office is obliged to provide information on the structure and number of the civil servants in the organization so we will have more data in the 2020.

## SPAIN

<b>The total number of government officials/civil servants</b>	<b>Percentage of the total public employment in Spain</b>	<b>Out of which civil servants</b>
<b>197 576</b>	<b>7%</b>	<b>2 668</b>

\*Source: Boletín estadístico del personal al servicio de las Administraciones Públicas- Enero 2019

[https://www.hacienda.gob.es/CDI/Empleo\\_Publico/Boletin\\_rcp/bol\\_semestral\\_201901\\_completo.pdf](https://www.hacienda.gob.es/CDI/Empleo_Publico/Boletin_rcp/bol_semestral_201901_completo.pdf)

## SWEDEN

<b>Employees in the central government</b>	<b>Percentage of employees in the central government of all employees in the labour market</b>	<b>Percentage of the employees working in the municipalities and regions</b>	<b>Percentage of the employees working in the private sector</b>
<b>260 000</b>	<b>5 %</b>	<b>24 %</b>	<b>71 %</b>

\* as of September 2018

## HUNGARY

The total number of government officials/civil servants: 115 214.

## VI. NUMBER OF CIVIL SERVICE POSITIONS / POPULATION

### AUSTRIA

#### Key figures 2018

Population and labour market Inhabitants (in thousands)	8 838
Employees (in thousands)	3 801
Unemployment (source: EUROSTAT)	4.9 %
Economy and public sector Gross domestic product (GDP, in € bn.)	386.1
Tax ratio (as a percentage of GDP)	42.8 %
Public expenditure (as a percentage of GDP)	48.5 %
Public sector staff and non-staff costs (as a percentage of GDP)	16.9 %
Public sector employees (in thousands)*	759

\* 2017 data Source: Statistik Austria

Public administration in Austria is carried out on three levels: the Federal level, the level of the nine Länder (i. e. Regions), and that of the 2 097 municipalities. In addition, social insurance funds, statutory representative bodies (called “Chambers”, e. g. the Chamber of Labour and the Chamber of Commerce), and other legal entities involved in providing public services are sometimes included in the definition of the public sector.

#### Public administration staffing levels\*

Federation	135 581
Regions	143 407
Municipalities	76 228
Total	355 216

\*Staffing full-time equivalents (FTE), excluding public enterprises and agencies. Last updated: Federation - 31/12/2018; Regions - 2018; municipalities—2017. Sources: Federation - MIS; Regions - Regions' own data, based on the Austrian Stability Pact, excluding staff of Regional hospitals; municipalities: Statistics Austria

For further information, see

[https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB\\_2019\\_Folder\\_EN.pdf](https://www.oeffentlicherdienst.gv.at/fakten/publikationen/PJB_2019_Folder_EN.pdf)

### CROATIA

Civil servants make around 1.3 % percent of general population in Croatia.

### GERMANY

In Germany we have round about 45 million gainfully employed persons. Round about 4.8 million people work in the civil service (= 11 %).

## LATVIA

In total, there were **1 919 968 inhabitants** in Latvia and **12 584 official civil servant posts** respectively (30 December 2019).

## LUXEMBOURG

Ratio to national population (**603 000 inhabitants**): **4.78 %**

## POLAND

Civil service corps **118 000**, population ca **38 000 000**.

## PORTUGAL

Public employment share of total population on **2019.09.30** - **6.7%**

Public employment share of total labour force on **2019.09.30** - **13.1%**

Public employment share of employed population on **2019.09.30** - **13.9%**

Source: DGAEP/DIOEP - SIEP 3<sup>rd</sup> Quarter 2019, 27 November, available at:

[http://www.dgaep.gov.pt/upload/DIOEP/2019/SIEP3T/DGAEP-DIOEP\\_SIEP\\_2019\\_T3\\_27112019.pdf](http://www.dgaep.gov.pt/upload/DIOEP/2019/SIEP3T/DGAEP-DIOEP_SIEP_2019_T3_27112019.pdf)

Further data in English available at:

<https://www.dgaep.gov.pt/en/index.cfm?OBJID=EC44A769-1753-4BB9-B24B-37B6D334193C>

SLOVAKIA: approx. **35 000 civil servants** / **5 456 362 population**.

## SLOVENIA

In this questionnaire we are providing data for state administration bodies which are:

- ministries
- bodies within ministries
- government offices and
- administrative units

There are around **31 000 public employees** in the state administration bodies. According to the Public Employees Act central personnel records are managed by the Ministry of public administration. The central personnel records of the state administration are kept for the purposes of implementing personnel management policies in state administration bodies, payroll accounting, fulfilling the employers' other obligations, and making decisions on the rights and obligations arising out of employment relationships.

The following data is kept in the central personnel records (December 2018):

- the number of employees in state administration bodies: **31 485** (including the Police and Armed Forces)
- officials: **26 617** including **167 top managers**
- ancillary public employees: **4 868**

On the 1st October 2019 Slovenia had the population of 2,094,060.

## SPAIN

According to Eurostat data (education and health system activities are not included), Spanish public **employment (2.78%)** is slightly lower than EU Member States average (3%), using the number of public employees by total population as indicator.

## SWEDEN

There are **260 000 central government employees** to **10.3 millions inhabitants** in Sweden.

## HUNGARY

The total number of **government officials/civil servants:**  
**115 214 / population: 9 772 756**

## VII. RECRUITMENT, SELECTION AND EVALUATION SYSTEM IN YOUR PUBLIC ADMINISTRATION

### AUSTRIA

- general/ specific access criteria
- recruitment methods

The recruitment to the federal civil service is based on the Act on the Advertisement of Vacancies 1989 including a mandatory public advertisement of jobs on the website „Public Service Career ([www.jobboerse.gv.at](http://www.jobboerse.gv.at)).

The Federal Ministry for the Civil Service provides aptitude testing for candidates:

- based on **job description**
- **performance tests** (verbal and numerical reasoning, logical thinking and problem solving, text comprehension, foreign language skills, etc. )
- **computer-based testing**

Two further important pillars of the personnel selection process are **job interviews** and the targeted **analysis of application documents**. To support recruiting institutions in this respect, the Civil Service Division (Directorate General for the Civil Service and Public Administration Innovation) provides training courses and instruction materials for the members of selection boards.

- performance appraisal methods

Due to the principle of Outcome Orientation in Austria the performance of public administration is evaluated **on the results of the organisation as a whole** rather than on individual results. Concrete objectives and outcomes are defined and made measurable through the use of indicators.

In addition, an obligatory **staff appraisal interview** has to be carried out annually involving all superiors and each of their staff members. As the appraisal interview is a tool of management by objectives a set of maximum five objectives is stipulated within the run of the interview. The outcome will be evaluated and discussed within the next interview. However, there is **no formal assessment or rating of individual performance**.

Career development is not directly linked to the evaluation but is discussed within the appraisal interview as well as suitable or necessary qualification or training. Financial rewards are not used for fostering performance improvement, and evaluation has also no impact on non-financial rewards and benefits.

## CZECH REPUBLIC

- general access criteria<sup>43</sup>

A person may be appointed to civil service solely should it be assumed that such person will adhere in their service to the democratic principles of the constitutional order of the Czech Republic and duly perform their service.

- specific access criteria<sup>44</sup>

An applicant for appointment to the civil service shall:

- a) be a citizen of the Czech Republic, a citizen of an EU Member State, or a citizen of a country being a party to the Agreement on the European Economic Area
- b) be at least 18 years old
- c) have full legal capacity
- d) have no previous criminal record
- e) have accomplished education stipulated hereby, and
- f) be of good health

Following provisions of CSA explain in more detail the above specific criteria.

- recruitment methods

Vacancies are mostly filled by selection process.

A process to select a civil servant is announced by the appointing authority on its **official board** and is announced in the **civil service information system**. The announcement becomes legally binding once placed on the official board<sup>45</sup>.

Applicants are invited for an **interview** which is carried out by the relevant **selection panel**<sup>46</sup>. Selection panels have 3 members.<sup>47</sup> The interview must be oriented to the specialisation for the civil service post the selection process relates to. Any other professional qualifications requirements necessary for the service may be tested. If necessary, an applicant must prove his knowledge of a foreign language. A written test may be part of the selection process and if the number of applicant is higher than 10, this test can reduce number of applicants taking part in the oral part of the interview.

The selection panel divides the applicants into 2 groups, those who succeeded and those who failed. From among those who succeeded the panel chooses 3 best applicants. The appointing authority selects, along with the immediate superior, one winning candidate of the 3 best applicants. The agreement between the appointing authority and the respective senior civil servant is made out in writing<sup>48</sup>.

In case of senior civil servants the selection process is in some respect different. The number of members of selection panels is higher and the selection process may have up to two rounds. If the service post is not filled in the first round, the second round of the selection process is opened. In the first round only applicants, who hold positions in the state administration specified in the CSA, members of the academy in

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<sup>43</sup> article 22 of CSA

<sup>44</sup> article 25 of CSA

<sup>45</sup> article 24 (6) of CSA

<sup>46</sup> article 27 (3) of CSA

<sup>47</sup> article 28 (1) of CSA

<sup>48</sup> article 28 (2) of CSA

a certain field etc. and meet the condition of practice, are allowed to take part in the selection process. The second round is far more open, in this round applicants who were (have been) on managerial post for some years may take part.

- **performance appraisal methods**

Every civil servant is subject to performance appraisals<sup>49</sup>. A performance appraisal is carried out once in **1, 2 or 3 years** depending on the authority. Apart from this regular performance appraisal, the last amendment of CSA<sup>50</sup> enabled appraisals to be **done when needed** (e.g. when quality of performance of service changes) or when a civil servant **asks** for performance appraisal to be carried out. Finally, if a civil servant's service produced unsatisfactory results, he/she will be appraised after **90 days** and if he/she obtain unsatisfactory results again, their civil service employment will terminate.

A performance appraisal of a civil servant evaluates these areas:

a) **knowledge**

b) **skills**

c) service in terms of **correctness, promptitude and independence**, in accordance with individual **goals** which have been set.

A performance appraisal of a civil servant is to be performed by their immediate superior (senior civil servant), in collaboration with the appointing authority, unless otherwise provided by CSA<sup>51</sup>.

The evaluator evaluates the civil servant in each of the evaluation areas on evaluation criteria<sup>52</sup> stipulating details of performance appraisal and the link between a personal supplementary allowance and the outcome of performance appraisal.

The **first evaluation criterion, knowledge**, encompasses **knowledge of legal provisions, set procedures and rules necessary for civil service**.

In the **second evaluation area, skills**, there are these **four criteria**:

1. **communication skills**

2. **social skills**

3. **personal approach**

4. **managerial skills** - in case of senior civil servants.

In the **third evaluation area, service in terms of correctness, promptitude and independence**, there are these **four criteria**:

1. **quality of performed service**

2. **amount of performed service tasks and service tempo**

3. **analysis and solution of problems**

4. **organization, management and supervision of subordinated civil servants**.

Each criterion is classified from 0 to 4 points<sup>53</sup>. Apart from the classification in points, commentary in writing is attached to each criterion. This commentary explains why the appraiser gave concrete number of points. Commentaries also include examples of concrete service tasks to show how well the civil servant tackled them.

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<sup>49</sup> Performance appraisal is covered by articles 155 - 156a of CSA.

<sup>50</sup> In effect from March 2019.

<sup>51</sup> Article 156 of CSA.

<sup>52</sup> Criteria listed in appendix No. 1 of the Government Regulation No. 36/2019 Coll. (hereinafter referred to as GR)

<sup>53</sup> Article 3 of GR.

Knowledge and skills make 20% of the final outcome of a performance appraisal each, service in terms of correctness, promptitude and independence amount to 60%<sup>54</sup>. The final outcome of a performance appraisal is calculated with the help of a formula detailed in appendix 2 of the GR and expressed verbally as well<sup>55</sup>.

Based on amount of points achieved by the civil servant the civil servant's service produced

- a) **outstanding results**
- b) **very good results**
- c) **good results**
- d) **acceptable results, or**
- e) **unsatisfactory results**<sup>56</sup>

A civil servant may lodge an objection against their performance appraisal not later than 15 days from the day on which the given civil servant was informed about the results of their performance appraisal<sup>57</sup>.

A civil servant may be granted a **personal supplementary allowance** or have its **amount increased, decreased, or the personal supplementary allowance taken away**, based on the outcome of their performance appraisal<sup>58</sup>.

If the civil servant achieved outstanding results, he/she is entitled to a personal supplementary allowance that must not be higher than 50% of the pay tariff of the highest pay degree in the pay grade, in which the service post of the service servant is allocated. In the case of very good results the maximum percentage is 40%, good results correspond to maximum 30%, acceptable results entitle to maximum 10%. If the civil servant's service produced unsatisfactory results a personal supplementary allowance must not be permitted and if already permitted it must be taken away. Outstanding, generally accepted experts can reach (upon meeting other conditions) a personal supplementary allowance of 100%<sup>59</sup>.

A civil servant must be informed on results of performance appraisals in the form of an interview. A civil servant, an appraiser - senior civil servant, an appointing authority and a person set by appointing authority take part in the interview. At the end of the interview a civil servant must sign the performance appraisal. If he/she refuses to sign the appraisal, the appraiser makes a note of this fact in the appraisal, together with a possible explanation. A civil servant must be informed about the possibility to lodge an objection against his/her performance appraisal.

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<sup>54</sup> Article 2 of GR

<sup>55</sup> Article 4 of GR

<sup>56</sup> Article 5 of GR

<sup>57</sup> Article 156a (1) of CSA

<sup>58</sup> Article 149 (1) of CSA

<sup>59</sup> Article 6 of GR

## CROATIA

**General requirements** for admission to the Civil Service are:

- predetermined level of education
- knowledge and expertise acquired by work experience in his/her function, except in the case of admission of interns
- suitable health to perform the tasks of the post to which is he/her assigned and
- Croatian citizenship

In case of **open competition selection procedure** Civil Service admission process entails:

- **candidate testing**
- **interview and**
- **optional psychological evaluation**

Work and conduct of the civil servant is continuously monitored by the immediate senior servant during the calendar. At the end of the calendar year, the senior servant evaluates the overall performance of the civil servant according to achieved results.

## EUROPEAN COMMISSION

- **recruitment procedure**

The application process for a position in one of the EU institutions or bodies **varies according to the contract type**. There are several categories (excluding freelance work) of work contracts: a **permanent contract**, a **fixed-term contract** and a **temporary contract**. There are also **traineeships**.

For each contract type, there will be a set **selection procedure to follow**.

### **Who's involved?**

In most instances, namely for **permanent roles and fixed-term contracts**, the organisation responsible for managing the applications is the **European Personnel Selection Office (EPSO)**. If this is the case, from submitting an online application to sitting a test in an Assessment Centre, EPSO will oversee the selection procedure and will be on hand to answer any queries that may arise along the way.

Each selection process has its own **selection board**, which is responsible for selecting candidates at each stage and for drawing up the final list of successful candidates. Each selection board is made up of **officials from the EU Institutions** and **EPSO ensures that all selection boards strictly adhere to the procedures**. The recruitment process also involves the HR services of the EU institutions that are responsible for the recruitment of successful candidates, i.e. filling specific job vacancies by hiring new employees from the lists of candidates maintained by EPSO. The Institutions interview potential employees before offering them a position.

For more detailed information on recruitment, promotions, pay and benefits, see **Staff Regulations**.

## Contract type

- **permanent official**

Permanent contracts are much sought after and are awarded after a rigorous open competition procedure. Within the EU civil service there are three types of permanent contract that can be awarded. The first is for administrators (AD), the second for assistants (AST), and the third for assistant-secretaries (AST/SC)<sup>60</sup>.

- **administrators** - An administrator career ranges from grades AD 5 to AD 16, with AD 5 being the entry level grade for university graduates. Selection and recruitment may also be offered at higher grades AD 6 or AD 7 in more specialist roles, where the applicant will have to demonstrate several years' relevant experience. AD 9-AD 12 is middle management level. Selection/recruitment at these grades requires previous management experience.
- **assistants** - An assistant career ranges from grades AST 1 to AST 11, with staff typically entering at grades AST 1-AST 3. As a minimum, an AST 1 candidate must have completed secondary education and have previous relevant experience, or have a relevant vocational qualification.
- **secretaries/clerks** (may change depending on competition) - A secretary/clerk career ranges from grade AST/SC1 to AST/SC6. New staff usually enter at grades AST/SC 1. As a minimum, an AST/SC1 candidate must have post-secondary education of at least 1 year attested by a diploma directly related to the nature of the duties, or secondary education attested by a diploma giving access to post-secondary education followed by at least 3 years' professional experience directly related to the nature of the duties, or professional training of at least 1 year, followed by a minimum of 3 years' professional experience. Both the training and experience must be directly related to the nature of the duties.

The EU institutions select candidates for permanent contracts through **open competitions (published on this website)**. The first round of tests you will be called on to complete will be **computer-based** and will comprise **aptitude and ability psychometric exercises**. If one is successful in these tests, one will then be called to an assessment centre where one will be expected to complete a number of work-related exercises in a group environment and before at least two assessors.

The skills assessed will broadly cover the following **core competencies required by the EU institutions**:

- **analysis and problem-solving**
- **communicating**
- **delivering quality and results**
- **learning and development**
- **prioritising and organising**
- **resilience**
- **working with others and**
- **in the case of graduates, leadership**
- 

Applicants who pass a competition are placed on a **reserve list** from which the institutions draw recruits as and when they need them. The aim of a competition,

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<sup>60</sup> The types of contracts have been detailed in chapter II.

then, is not to fill a specific post, but to constitute a **reserve pool for recruitment needs as they arise**.

The format of these competitions varies depending on the profile being sought.

Each competition is announced by a **competition notice**, giving full details of the profile, the eligibility criteria and the selection procedure.

Generally, it takes **5-9 months** to complete the selection procedure, starting from the date of publication of the competition notice.

The highest-scoring applicants in the assessment phase will be placed on the reserve list. This means **they may be selected for a job interview** at one of the EU institutions.

Reserve lists for generalist competitions are usually **valid for 1 year**. For other profiles, the length may vary. The validity of reserve lists can be extended.

- **contract staff** are recruited from a pool of applicants (kept in a database) following a selection procedure usually organised by the European Personnel Selection Office (EPSO).

The **selection procedure** may include **CV sifting, reasoning tests, and/or competency tests**, that may be written, oral or other practical tests in the field.

- **temporary staff**: Selection and recruitment of temporary staff is generally run by **individual EU institutions and agencies**. For news of current selections and vacancies please one can visit the EPSO website.
- **trainees**: Selection procedures for traineeships are run by the **individual EU institutions and agencies**. For more information, check the [Traineeships page](#) . **Applications** are usually **online**, but **paper copies of the application form are sometimes required**. In general, applications are accepted about four to nine months before the beginning of the traineeship and applications should be submitted in good time.
- **seconded national experts** must have at least 3 years work experience at an appropriate level, must have worked for an eligible employer for at least 12 months before the secondment, and must have thorough knowledge of one of the EU languages and a satisfactory knowledge of another EU language. The secondment can be for a minimum of 6 months and up to a maximum of 4 years in principle. One can return for a second period of secondment once an interval of at least 6 years has passed. Information about current opportunities can be found on the [country's permanent representation to the EU](#) .
- **other types of employment**
  - **interim staff** are often needed in secretarial roles. Posts are rarely longer than 6 months in duration. The Commission employs staff on a temporary basis, mainly for secretarial work, on short term contracts through temping agencies.
  - **interim consultants**: some EU departments employ consultants directly through tendering procedures.
  - **Parliamentary assistants** to a Member of the European Parliament (based in Luxembourg, Brussels or Strasbourg). More information on recruitment can be found on the [European Parliament's website](#) and also on the [individual websites of the Political Groups](#), for information about their own recruitment procedures.

- **freelance linguists:** translators and interpreters. To become a freelance translator
  - for the European Commission, please consult the notices of call for tenders.
  - for the Court of Justice, please consult the contract notices.

To become a freelance **interpreter** at the European Commission, the European Parliament or the European Court of Justice, please see Interpreting for Europe.

- **junior professionals in delegation:** Traineeships of up to 18 months are offered in the EU Delegations to give talented and promising university post-graduates the opportunity to gain first-hand experience in the work of the Delegations, and a deeper insight into their role in the implementation of EU external relations policies. For more information, see the Junior Professionals in Delegation programme.
- **EU experts:** Experts in an EU policy field, you can register their credentials with an **experts' database maintained by an EU institution or agency**. They are invited to create a password-protected profile containing your details (contact details, specialisation, credentials, etc.) and then be called on for specific tasks as needed.
- **maintenance and canteen staff:** Certain categories of staff such as maintenance workers and canteen staff are recruited via **external contracting companies**. These contracts are awarded through **open tender procedures**.

An overview of the recruitment procedure may be found here in English.

- eligibility criteria for recruitment:

To be eligible to apply for an open competition or selection procedure one must:

- be a **citizen of an EU country**
- be **entitled to full rights** as an EU citizen
- have fulfilled any obligations imposed on you by the laws concerning military service in your country
- have **thorough knowledge of one of the official EU languages** (Level C1) and **satisfactory knowledge of a second** (Level B2) official EU language
- for language competitions, you must have a **perfect knowledge of one official EU language (Level C2)** and a **thorough knowledge of a second and third (Level C1)** official EU language

See below for details.

<p><b>Language 1</b> must be one of the 24 official EU languages</p>	<p>The applicant's main language. It can be their mother tongue or another language of which they have at least a <b>thorough knowledge (level C1)</b> as defined in the <u>European Language Levels - Self-Assessment Grid</u>.</p> <p>For some competitions/selections, applicants will need to have a <b>perfect command (level C2)</b> of this language.</p>
<p><b>Language 2</b> must be different from language 1</p>	<p>Applicants need at least a <b>satisfactory knowledge (level B2)</b> of their chosen language.</p> <p>For some competitions/selections for linguists, they will need to have a <b>thorough knowledge (level C1)</b> of it.</p>
<p><b>Further languages</b></p>	<p>For some competitions, selections or calls for expression of interest, notably linguist competitions, other language skills may be requested.</p> <p>Please refer to the Notice of competition or Call for expression of interest.</p>

Applicants must also meet any specific requirements set out in the relevant competition notice or call for expression of interest regarding qualifications and professional experience. Please see the Frequently asked question on **professional experience** and on the **different types of qualifications** accepted.

Minimum **educational requirements** vary according to the position.

In general:

- all **non-graduate positions (function group I, manual and administrative support; assistant-level/function groups II - clerical/secretarial/office management, function group III - administrative/advisory/ linguistic/technical)** require (at least) that you have completed **secondary education**
- all **graduate positions (administrator-level/function group IV)** require at least that you have completed **university education (of three years)**.

Relevant work experience may be required in some cases.

There is no age limit to apply for an EU post, however, officials are automatically retired at 65. For more details, read the Staff Regulations of EU officials.

- **performance appraisal**

## Reports, advancement to a higher step and promotion <sup>61</sup>

The ability, efficiency and conduct in the service of each official is the subject of an **annual report** as provided for **by the appointing authority of each institution**.

That report shall state whether or not the performance level of the official has been satisfactory. The appointing authority of each institution shall lay down provisions conferring the right to lodge an appeal within the reporting procedure, which has to be exercised before the lodging of a complaint<sup>62</sup>. As of grade AST 5, the report may also contain an opinion as to whether the official, on the basis of his performance, has the potential to carry out an administrator's function. The report shall be communicated to the official. He shall be entitled to make any comments thereon which he considers relevant.

**An official who has been at one step in his grade for two years shall automatically advance to the next step in that grade, unless his performance has been evaluated as unsatisfactory pursuant to the last annual report<sup>63</sup>.**

An official shall advance to the next step in his grade **after no later than four years**, unless the procedure laid down in Article 51(1) is applied.

If an official is appointed **head of unit, director or director-general** in the same grade, and provided that his performance has been **satisfactory<sup>64</sup>** during the first nine months following his appointment, he shall retroactively benefit from advancement by one step in that grade at the time the appointment comes into effect. This advancement shall lead to an increase in his basic monthly salary corresponding to the percentage between the first and the second step in each grade. If the increase is less or if the official at that time is already in the last step of his grade, he shall receive an increase in basic salary ensuring the increase between the first and second step until his next promotion comes into effect.

A more detailed information is available here in [English](#).

## GERMANY

- general/ specific access criteria

### Eligibility for the public service

Every German is eligible for any public office on the basis of **aptitude, qualifications, and professional achievements<sup>65</sup>**.

This applies equally to **long-term employment of civil servants and public employees**.

The principle of merit as defined by constitutional law means:

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<sup>61</sup> Performance appraisal is also covered in Articles 43-44 of the above referenced Staff Regulations.

<sup>62</sup> As referred to in Article 90(2).

<sup>63</sup> Report referred to in Article 43.

<sup>64</sup> Within the meaning of Article 43.

<sup>65</sup> According to Article 33(2) of the Basic Law.

- **Promotions** are granted in accordance with **aptitude, qualifications and professional achievements**.
- In order to become a civil servant, the applicant must have completed the **relevant traineeship** or **possess the relevant qualification for a specific occupation** (such as occupational training or education).
- In order to become a public employee, the applicant must possess the **qualification required for the specific function**.

This also applies to applicants from Member States of the European Union, the state parties to the Convention on the European Economic Area (Iceland, Liechtenstein, and Norway) and Switzerland. In accordance with the Community regulations on freedom of movement, they are equally eligible for the German public service if they are suitable and qualified. Accordingly, the Act on Federal Civil Servants provides that eligibility for the public service may also be acquired on the basis of Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications and on the basis of professional qualifications acquired in non-EU countries. Only a few functions may be performed by German nationals only.

**Nationals of Member States of the European Union are in principle afforded equal treatment to Germans for appointment as civil servants<sup>66</sup>.** As an exception to this fundamental rule, only Germans are eligible for positions requiring the exercise of public functions which, because of their specific content, must be performed by Germans only. In individual cases and in relation to the function in question it is necessary to decide whether the function must be performed by German nationals. The Federation and the states have agreed on recommendations for applying the law in relation to functions reserved for Germans that would permit nationals of other EU Member States to be employed in areas which, in accordance with rulings of the European Court of Justice, could be reserved for Germans.

The eligibility requirements to be followed when hiring civil servants are largely the same for all areas of administration. In addition to the general requirements, such as **loyalty to the Basic Law and personal integrity**, civil servants must also fulfil the **requirements for admission to the individual career paths**.

The law on public service employees provides **neither for a career system nor for formal eligibility requirements other than job-related education credentials**. Applicants are hired on the basis of their individual knowledge and abilities alone. **Suitability for the specific job is the deciding factor**. Recruitment to the public service generally requires a **vacancy announcement** in order to guarantee the right of equal access to public office. Suitable candidates for the announced vacancy are chosen by means of a **selection process**. **Each authority** is responsible for conducting **its own recruitment and hiring**, i.e. there are no generally binding rules for the form of the selection procedure and **there is no central authority responsible for the selection of federal staff**, because each federal ministry is responsible for its own staffing. This responsibility is derived from the principle that each federal ministry manages its remit independently and on its own responsibility.

Recruitment to the public service requires a **vacant position**. In the framework of their budgetary authority, parliaments at federal, state and local level have the right to decide on the number and distribution of public service posts. In accordance with budgetary law, human resources are not managed according to the available funds, but according to established posts. In principle, the budgetary authority must approve each post before someone can be hired into that post. This specific budgetary

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<sup>66</sup> Within the meaning of Article 116 of the Basic Law.

procedure arose from the special status enjoyed by civil servants under German public service law. The basic impossibility of dismissal and the public employers' duty of care as well as the payment of pensions give rise to payment obligations over several decades. The recruitment of a civil servant therefore has a considerable financial impact. Establishing a post creates the necessary authorization to spend money over the entire period of employment. This procedure applies to public employees accordingly, since they are, as a rule, also permanently employed, and the parliament is able to control staff numbers and composition by managing the number and distribution of posts.

- **recruitment methods**

1. **job advertisement** (e.g. on the webpage from the authority or on the webpages [www.bund.de](http://www.bund.de), [www.wir-sind-bund.de](http://www.wir-sind-bund.de))
2. **written application** (e.g. by filling in an online form or by sending an application by mail/post)
3. **preselection** by the Federal Office of Administration (only if the authority delegate the recruiting process to this office)
4. **selection procedure** by the authority (e.g. personal interview, written test)

- **performance appraisal methods**

**Promotions** are granted according to aptitude, qualifications and professional achievements, that is, **performance**. In most cases, they **entail a change of post**. Before the promotion is granted, **the civil servant works in the higher post on probation**. Since civil servants are assigned to established posts, promotion requires that a suitable higher post is available.

**Performance appraisals of civil servants include an assessment of professional achievements, aptitude and qualifications**. In order to gain an informative, objective and consistent picture of civil servants' performance, **criteria for performance appraisals are set out in guidelines**.

Performance appraisals are carried out **regularly at least every three years or on specific occasions**. In order to improve the consistency of performance appraisals, guidelines for assessment grades were established in the federal service in 1997 (quota arrangement). Appraisals serve as the basis for proper personnel decisions and personnel development measures; they thus constitute an important instrument of human resources management. In the framework of defined promotion procedures, qualified civil servants have the possibility to move up to the next career path. To this end, they must successfully pass the selection procedure.

In order to ensure a modern, effective and efficient public administration it is essential to choose the right people for **leadership positions**. For this reason, the various public employers **initially assign executive posts for a probationary period**, making selection and assignment more performance-oriented. **If the wrong person has been chosen for the job (e.g. someone whose lack of managerial skills becomes apparent only later), this can be corrected**. This mechanism also increases the mobility of executive staff, motivation and competition for executive posts.

The public service particularly depends on the **knowledge** of its staff. They must be willing to constantly acquire new knowledge to be able to deal with ever changing laws and regulations. The public service faces two challenges in the area of education: It must both possess and convey the necessary knowledge. So training and qualification are essential to keep public administration up to date. Advanced training is provided

by both external and internal institutions. The **Federal Academy of Public Administration in Brühl** is the **central advanced training institution for the federal administration**. In addition, each ministry has tailored strategies for advanced training and personnel development.

## LATVIA:

- recruitment methods

Civil servants are generally hired under the State Civil Service Law for an **indefinite term**, with the **exception of senior managers**. Other public employees are hired under Labour Law, also for an indefinite period of time.

Latvia's civil service is **primarily position-based**. Most civil service positions are open to **external recruitment**, except for **exceptional cases where transfer of the civil servant to another position in the interests of the state is used**.

Applicants to the civil service apply to a specific position, and are assessed and ranked based on their performance in an **interview**, and **sometimes in written examinations**. Recruitment processes are **decentralised to the ministry/agency level**. Merit is ensured via the use of **recruitment panels**, and the **open and transparent publication of all vacancies and competitions**. Generally, **the head of the institution makes the final hiring decisions**. In the case of the **most senior manager**, this decision is **influenced by the political leadership**, and, in some cases, the decision is approved by the Cabinet.

**Unlike the civil service**, there are no **special prerequisites for candidates for staff positions in public administration and there is no determined selection procedure**. Each institution shall internally determine the candidate selection procedure for staff positions. Often there are no open competitions for candidates. However, if such competitions are announced, the selection procedure is similar to that of civil service positions: an application to a specific job, an interview or an aptitude test and an interview.

**State Chancellery acts as the central hiring unit for heads of institutions**. Currently, all senior management positions are open to external recruitment, all vacancies are published online, and all recruitment goes through panel recruitment. Heads of institutions, however, are appointed by their respective ministers for five-year terms.

- performance appraisal

All civil servants and public employees undergo **regular and formal performance evaluations**. Staff is evaluated **annually** and **heads of the institutions every two years**. High performance ratings may result in a **bonus** (once per year up to 75% of the monthly salary and additional leave).

The State Chancellery worked with Ministries and agencies to introduce a **new common employee performance assessment system in 2013**. The system is integrated in an **online application** which enables a significant degree of transparency and accountability, as all employees' performance objectives and assessments can be made visible and comparable. The system facilitates cascading objectives, with organisations assigned annual objectives by the Prime Minister, and each level of hierarchy setting goals that align with those highest-level organisational objectives.

The evaluation system is also linked both to competencies and learning requirements. While the majority of the assessment is focused on the achievement of performance objectives, a **competency assessment complements the process and identifies development needs**, which are also captured in the system. This allows the Chancellery to use the IT system to collect and aggregate training needs. The alignment of the objective-setting exercises across the public sector also encourages a culture shift from process management to management by results.

Legal measure, which defines performance appraisal are:

- Civil Service Law: <https://likumi.lv/ta/en/en/id/10944>
- Regulation about Performance Appraisal (Cabinet of Ministers) (LV): <https://likumi.lv/ta/id/250211-noteikumi-par-valsts-tiesas-parvaldes-iestades-nodarbinato-darba-izpildes-novertesanu>

## LUXEMBOURG

- general/ specific access criteria

For the recruitment of civil servants, the following criteria apply:

- be a **citizen of an EU Member State**
- be in full possession of **political and civic rights**
- meet the **character and moral requirements**
- satisfy the **physical and psychological abilities** which are required for exercising the job position
- have sufficient **knowledge of the three official languages** (adapted to the job position)
- meet the **educational and vocational training requirements**

- recruitment methods

Civil Servants of the public administration are recruited, based on their degree, centrally through a **competitive exam**, which is organized by the **Centre for Personnel and Organizational Management (CGPO)** - a body of the Ministry for the Civil Service.

The competitive exam is divided into two phases:

1. a **general aptitude test** organised by the CGPO and
2. a **special test focused on the specific profile of the vacancy** and organized by the organization which has to fill the vacancy.

Depending on the staff, different recruitment methods can however apply.

- performance appraisal methods

In the context of the management of objectives, there exists in the Luxembourgish civil service **annual staff interviews**, whose objective it is to make the follow-up on the individual work plans and achievement of objectives. These yearly dialogues moreover take up professional development issues and assess strong and weak points of individual competencies.

Moreover, before important career steps, civil servants have to pass a **performance assessment**. Performance criteria are for instance the achievement of objectives laid down in individual work plans and the level of technical and behavioral competencies.

## POLAND

- general/ specific access criteria

The **recruitment** process in civil service shall be **open** and **based on the competition principle**. The open character of recruitment to the civil service means that it is common, public and transparent, and offers equal access to all candidates. These fundamental rules are expressed by (among others) the **obligation to publish job offers, prepare a recruitment report and present the results of the recruitment**. Openness of the recruitment also ensures that every citizen, who meets the requirements specified in the vacancy announcement, can apply.

Recruitment based on a competitive principle means **the procedure** resulting in choosing a candidate who gives the best guarantees to complete tasks and to reach objectives both of the position and the office. It also requires the same evaluation principles, methods, tools and criteria to every candidate applying for the post, as well as ensuring that every candidate has a chance to present himself or herself. The Director General (DG) is responsible for adopting the rules of recruitment procedure and making the final decision about who will be appointed for the vacant position.

There are **some basic requirements** that every applicant has to meet in order to become a civil service corps member, such as:

- **Polish citizenship** (foreign citizens can be employed if the DG decides about vacant position available for foreigners and if the applicant meet additional requirements e.g. Polish language knowledge)
- **enjoying full civil rights**, no prior criminal record
- **holding qualifications required** for the given position and enjoying an impeccable reputation

For candidates to the **senior positions in the civil service**, which are filled on the basis of appointment, there are also **some extra requirements**:

- M.A./M.Sc. degree (or equivalent)
- no prohibition to work on the management posts in public sector or posts connected with spending public money
- possession of managerial skills
- fulfillment of other requirements defined in the job description and in separate pieces of legislation

In principle senior positions in the civil service include: **directors general of offices, directors of departments or equivalent units** in the Chancellery of the Prime Minister, ministries, central offices, voivodeship offices as well as deputies of the above mentioned. This category includes also senior positions in the National Tax Administration (i.a. heads of tax offices and their deputies).

- performance appraisal

## Performance appraisal

- obligatory
- once every 24 months**
- made **in writing** by the **direct superior**
- Standardised** as regards template and rules in the **regulation**
- delivered and communicated to the appraised person
- includes proposals regarding **individual professional development programme (IPRZ)**
- right to appeal to the Director General**

KANCELARIA PREZESA RADY MINISTRÓW  
DEPARTMENT OF CIVIL SERVICE

## PORTUGAL

### Recruitment and selection

Recruitment for Portuguese public administration posts abides by the constitutional principle that every public employment relationship is established by way of an open competition procedure.

The General Labour Law in Public Functions sets as general requirements for the public employment relationship formation the meeting of the following conditions by the applicant:

- a. **Portuguese nationality**, when it is not waived by the Constitution, international convention or special law
- b. **18 full years of age**
- c. **Non-inhibition of the fulfilment of public functions or no ban for the fulfilment of the specific functions the applicant intends to fulfil**
- d. **Physical strength and psychic profile indispensable to the fulfilment of functions**
- e. **Compliance with laws of compulsory vaccination**

In addition to these there are **special requirements** that shall be met according to the position in question, such as the **holding of an academic degree or professional certificate**, under the terms defined in the career regulatory rules.

As a rule, the recruitment is restricted to public employees' holders of a public employment relationship for an indefinite period of time with the required academic level for the positions in question.

In the case of impossibility to fill work posts in such a way the body or service, preceding favourable opinion given by the members of the Government responsible for public administration and finance areas, may recruit public employees with term public employment relationship or without public employment relationship, by way of external open competition procedure.

The public employees' recruitment with a term public employment relationship or without public employment relationship may still occur in other situations particularly provided for in the law, by virtue of duly justified scientific, technical or artistic ability, preceded by opinion mentioned above.

The filling of work posts may still occur by consolidation of the mobility or temporary transfer due to public interest, as per the General Labour Law in Public Functions rules for these figures.

The open competition procedure can take different modalities:

- a) Common, whenever it is intended to immediate recruitment for filling work posts provided for, and not filled, in the workforce lists of public services, as well as of future needs of the public employer;
- b) For the formation of recruitment reserves, when it is intended to form staff reserves to meet future needs of the public employer;
- c) Centralized recruitment to meet the needs of a set of public employers, that covers the procedure of formation recruitment reserve in a centralized entity and the placement offer procedures open as a result thereof.

Further information, such as phases and features, of each open competition procedure modality may be found at:

[https://www.dgaep.gov.pt/EN/upload/legislation/P\\_125\\_A2019.pdf](https://www.dgaep.gov.pt/EN/upload/legislation/P_125_A2019.pdf)

### **Integrated system for management and performance assessment in Public Administration**

In Portuguese Public Administration, an integrated system of management and performance assessment applies to the performance of public services, their respective managers and other staff.

The system is designed for universal application to central, regional and local administration, providing for wide-ranging mechanisms for flexibility and adaptation to be able to cover the specific nature of the different types of administration, public services, careers and functional areas of their staff and management demands.

The system is based on a management design for Public Administration services centred upon objectives. Thus, in the assessment of services, appraisal of managers and other staff, the results achieved in relation to previously set objectives play a central role.

The results should be measured by way of pre-established indicators that, *inter alia*, enable transparency, impartiality and prevent discrimination.

The system integrates three components:

- Subsystem for the Performance Assessment of Public Administration Services (SIADAP 1);
- Subsystem for the Performance Appraisal of Managers in Public Administration (SIADAP 2);
- Subsystem for the Performance Appraisal of Public Administration Employees (SIADAP 3).

### **Performance Assessment of Public Administration Staff (SIADAP 3) Subsystem**

Employees' performance appraisal is carried out on a biennial basis and regards the performance of the two preceding calendar years.

The following characteristics apply to employees' appraisal system:

- Based on individual objectives set, every two years, in line with those of services and on outcomes achievement;

- Enables identification of staff evolution potential;
- Enables diagnosis of training needs and improvement in positions and working procedures;
- Supports dynamics for professional evolution in a merit and excellence rating performance perspective;
- Strengthens staff intervention in the setting objectives process.

Employees' performance appraisal is based upon parameters of "results" and "competences" to be contracted between the evaluator and the evaluated employee. In the absence of agreement, they are unilaterally set by the evaluator.

**1) Results:** at least three objectives are set biennially for each public employee, and for each objective a performance measurement indicator is established, as well as, criteria for surpassing them. The objectives are set as follows:

- Provision of goods and carrying out of acts or service delivery in an effective way;
- Quality, orientated towards innovation, improvement of services and end user's needs satisfaction;
- Efficiency, aimed at the simplification and rationalization of time limits and management procedures and in the operational costs reduction;
- Improvement and development of individual, specialized and behavioural competencies of the public employee.

**2) Competences:** Chosen from those set out in the list approved for the respective professional group by ministerial order, not less than five for each public employee.

An exceptional performance appraisal regime based exclusively on "competencies" has been set for particular staff groups who cumulatively meet the following requirements:

- Academic qualifications required for the respective career recruitment is set at the level of compulsory schooling or equivalent;
- Activities or tasks to be performed are mainly characterized as day-to-day work of a permanent nature, standardized and previously designed (ex: tasks of an administrative nature).

When the compulsory requirements are not met for the appraisal based on the contracted objectives and competences, an appraisal by curricular weighting or the consideration of prior appraisal may be requested to the service's top manager.

Formally, there are conditions for the appraisal with the cumulative meeting of the following requirements:

- The public employee has an employment legal relationship, of, at least, one year;
- Meets, at least, a year of actual service;
- The form where the objectives and competences contracted are set out has been signed, by the evaluator and the evaluated employee (or notified to this), until, at least one year before the final appraisal period.

### **Final appraisal**

The appraisal of the parameter "results" emerges from the arithmetic average of scorings obtained in all objectives:

- 5 points for the objectives that have been surpassed;

- 3 points for the objectives that have been attained;
- 1 point for the objectives that have not been attained.

The appraisal of “competences” results from the arithmetic average of scorings granted to all competences chosen (at least five):

- 5 points for the competences shown at a highest level;
- 3 points for the competences shown;
- 1 point for the competences not shown or inexistent.

The final appraisal of public employees results from the weighted average of scorings obtained in the two appraisal parameters - results (minimum weighting of 60%) and competences (maximum weighting of 40%). It is expressed according to ratings:

- Relevant Performance (from 4 to 5 points) - it may only be granted to 25% of the appraised public employees;
- Adequate performance (from 2 to 3,999);
- Inadequate performance (from 1 to 1,999).

### **Merit distinction**

A merit distinction meaning Excellent Performance may be recognized by the Assessment Coordinating Council (ACC) to public employees to whom the rating of Relevant Performance has been granted (25%). This recognition may be proposed by the evaluated employee or by the evaluator. The maximum percentage for granting the merit distinction (Excellent) is of 5% of the total public employees evaluated as relevant.

## **APPRAISAL PROCEDURE**

### **Self- appraisal**

It is carried out by public employees, by way of a specific form that should be analysed by the appraising officer/line manager, if possible in conjunction with the appraised public employee, before the appraisal proposal. It may be submitted at the request of the evaluated employee or on demand of the evaluator.

### **Submission of the request for curricular weighting**

It is made by the evaluated employee for cases in which there are not effective conditions for appraisal.

### **Appraisal**

The evaluator makes the appraisal by filling in the respective forms, taking into account the objectives and competencies defined for each public employee, as well as the guidelines transmitted by the ACC with regard to the differentiation of the merit.

### **Validations of relevant performance and inadequate performance**

The ACC analyses the proposals for performance appraisal that have to be validated (Relevant Performance and Inadequate Performance). It ensures that the quota established for the rating of Relevant Performance is complied with.

### **Refusal of validation by the ACC**

In the case of the CCA shall not validate the proposals for appraisal of Relevant Performance or of Inadequate Performance, sends back the proceedings to evaluators, accompanied by due justification establishing a time limit for proposal reformulation.

In these cases the evaluators may:

- Change the proposals accordingly;
- Maintain the proposals of appraisal, forwarding them again to CCA accompanied by due justification.

The ACC may:

- Receive the justification and validate the proposal for appraisal;
- Establish a final appraisal proposal that transmits to the evaluator, if it shall not agree with the evaluator's justification.

### **Recognition of Excellent Performance**

For possible recognition of Excellent Performance the ACC appraises the proposals of evaluates who have previously obtained validation of Relevant Performance.

This recognition shall entail formal declaration of the ACC (Minutes).

### **A meeting is held between the evaluator and the evaluated employee**

With a view to:

- Giving notice of the appraisal proposal;
- Contracting the appraisal parameters for the new appraisal cycle.

This meeting is scheduled by the evaluator or, if such shall not occur, the public employee may request its scheduling.

### **Intervention of the Joint Commission**

A Joint Commission with advisory competence has been set up to operate with the top manager of each service in order to appraise proposals for assessment made known to public employees appraised, before official confirmation. The Joint Commission is composed of 4 members:

- 2 members representing the Administration (one is a member of the Assessing Coordinating Council);
- 2 members representing the employees.

After taking notice on the appraisal proposal that shall be the subject of confirmation, if the public employee shall not agree with it, he/she may request to the top manager, within the time limit of 10 working days, the joint commission intervention, submitting the respective justification.

Only after having been tried all the time limits for hearing the Joint Commission may the top manager make the respective confirmations.

### **Appraisals confirmation**

The top manager confirms the performance appraisals, if he/she agrees with them, including those which are granted by way of curricular weighting. In the case of disagreement he/she may grant a final appraisal, always complying with the maximum percentages defined for merit differentiation.

## **Knowledge of confirmations**

After confirmation, evaluates take notice of the appraisal granted within the time limit of five working days.

## **Note**

The appraisal procedure shall be, as a rule, completed until the month of April of the year following that one which completes the appraisal cycle.

## **Publicizing**

Performance appraisals of public employees are publicized when entailing the grant of performance bonuses or the change of pay step.

## **APPRAISAL EFFECTS**

General Labour Law in Public Functions (LTFP) provides for, expressly, the performance appraisal effects. Adding the change of the pay step and the grant of performance bonuses or imposing disciplinary penalties to the ones set out in the performance appraisal law. Thus, the effects are:

### **For the service**

- Identification of public employees' personal and professional potential that should be developed;
- Diagnosis of the training needs;
- Identification of competences and professional behaviours worthy of being improved, workplace and related processes improvement.

### **For the public employee**

With the excellent performance rating gathers conditions to:

- Be part of the public employees list that may change the pay step for the following step by managerial option;
- Be part of the public employees list who may receive performance bonus.

With the excellent performance rating in two consecutive appraisal cycles:

- Traineeship in a foreign public administration service or in an international organization;
- Traineeship in another public service, non-governmental or business entity with activity and management methods relevant for public administration;
- Attendance to training courses suitable to the development of professional competencies.

With relevant performance rating:

- By achieving two relevant performance ratings the public employee meets the requirements to be set out in a list of public employees who may change for the following pay step by managerial option;
- With one relevant performance rating the public employee meets the requirements to be set out in a list of public employees who may receive performance bonus.

With adequate performance rating:

- By achieving three consecutive ratings of adequate performance the public employee meets the requirements to be set out in a list of public employees who may change for the following pay step by managerial option.

With inadequate Performance (2 negative points)

- Public employee's training needs are identified as well as the drawing up of a professional improvement plan;
- With two consecutive ratings of inadequate performance an inquiry procedure shall be open that may lead to the setting of a disciplinary procedure based on breach of professional duties.

### **Compulsory change of the pay step**

It occurs when the public employee accumulates 10 points since the last change of the pay step.

No. of points corresponding to each qualitative mention:

- Excellent performance = 6 points;
- Relevant performance = 4 points;
- Adequate performance = 2 points;
- Inadequate performance = 2 negative points.

### **FOLLOW-UP (MONITORING AND REFORMULATION OF OBJECTIVES)**

The monitoring of the performance is intended to:

- Clarify aspects useful for the appraisal;
- Collect, in a participative way, opinions on how the performance is being developed;
- Serve as a support for a more grounded appraisal.

In cases of occurrence of subsequent facts that prevent the predicted course of activities, objectives and results to be achieved are reformulated. This procedure is registered in a specific form and may occur by the appraising officer's initiative or at the request of the appraised public employee.

### **RIGHTS, GUARANTEES AND DUTIES OF THE APPRAISED PUBLIC EMPLOYEES**

Public employees are entitled to:

- Have information on objectives, foundations, content and functioning of the appraisal system;
- Request to his/her appraising officer/line manager the scheduling of a meeting for appraisal and contracting of objectives. In the case of the appraising officer/line manager shall not agree with such request the public employee may request the same to the service's top manager;
- Accede to the means and conditions necessary to his/her performance in accordance with the objectives set;
- Establish guidelines;
- Request to the top manager that his/her process is appraised by the Joint Council, by submitting the respective justification;
- Complain the appraisal granted - complain to the top manager, within the time limit of five working days, calculated as from the date of awareness of the confirmation, along with due grounds;
- Lodge a hierarchical appeal - to have recourse to hierarchical or supervisory appeal of the decision on the complaint or of the confirmation of the appraisal to the member of the Government who supervises the service where the public employee fulfils his/her functions accompanied with the respective justification;

- Contentious appeal (the time limit for lodging an appeal is of 3 months) - To have recourse, under the general terms of the law, to administrative courts:
  - 2) as to the confirmation act of the performance appraisal <sup>67</sup>
  - 3) as to the decision concerning the complaint of the confirmation act <sup>1</sup>
  - 4) as to the decision on the hierarchical appeal
- Review appraisal by administrative or jurisdictional decision.

### Duties of the appraised public employees

- Making self-appraisal
- Negotiating with the appraising officer/line manager as to the setting of objectives and competences
- Signing the appraisal form during the contracting or setting of objectives and competences
- Being aware of the proposal for appraisal and its confirmation.

Further information and details on this subject may be found at: [https://www.dgaep.gov.pt/EN/upload/legislation/law\\_66B\\_2007\\_SIADAP\\_VC.pdf](https://www.dgaep.gov.pt/EN/upload/legislation/law_66B_2007_SIADAP_VC.pdf)

## SLOVAKIA

**General preconditions** for the applicant to enter into the civil service:

- **at least 18 years of age**
- **full legal capacity**
- **impeccability**
- **qualification requirements (education)**
- **state language requirement**
- **successful and selected in selection procedure or collective selection procedure**, unless otherwise provided by the Civil Service Act or a special regulation.

**Specific preconditions** for the applicant to enter into the civil service:

- **health requirements** if required by special regulation,
- **foreign language** at required level and professional experience if required in the description of civil service position and
- **other** if stipulated in the special regulation.
- **recruitment methods**

Obligation for service offices to **publish all vacancies** in the civil service via register of selection procedures <https://open.slovensko.sk/VK/SelectionProcedureList>, accessible online, has been established.

Selection procedure is conducted by the **Selection committee** composed of civil servants of the particular service office (at least 1 member must have training in behavioural interview conduction).

### Recruitment methods:

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<sup>67</sup> Both acts are delivered by the service's top manager. If the public employee has opted for the hierarchical or supervisory appeal, may only appeal against this decision if still elapses the time limit to lodge a contentious appeal that is, as a rule, of 3 months after taking notice of the administrative act of which is the subject of appeal.

- **in oral part - structural (behavioural) interview to examine skills and competences** defined for the particular position ex. managerial skills, analytical and conceptual and strategic thinking, ability to work under pressure, motivation, decision making ability, adaptability etc.
- **in written part** - written tests with exact number of questions, points and time limits,
- **obligatory assessment testing** for the highest managerial positions (DGs) and psychodiagnostics on voluntary basis upon requirement of service office.

Civil Service Act has implemented new measure how to attract young workforce into the civil service - **recruitment pools for fresh graduates of universities.**

- **performance appraisal methods**

The performance appraisal is based on the **appraisal of professional knowledge** of the civil servant, his **performance, skills and competences** and **access to personal development and access to education.**

Performance appraisal is performed as **performance appraisal for a year** or as **partial performance appraisal** and it is conducted as the personal interview. In the process of performance appraisal, the assessor is an **immediate supervisor of the civil servant.**

Under the conditions stipulated by the Civil Service Act, the process of assessing is performed **under certain conditions by the special commission for performance appraisal** established in particular Service office. The civil servant who is the subject of evaluation is granted the points/score for every evaluated area and at the end of this process the excellent results, very good results, standard results, satisfactory results or unsatisfactory results may be reached.

The evaluated civil servant is granted the proposals for improvement of civil service when he reaches standard results, satisfactory results or unsatisfactory results. The Civil Service Act provides the possibility to file objections against the results of performance appraisal.

## **SLOVENIA**

- **general/ specific access criteria**
- **recruitment methods**

As noted above, civil servants are divided into **officials**, performing public duties and **ancillary public employees**, performing ancillary work. The recruitment of officials and the recruitment of ancillary public employees are carried out by **two different procedures.**

In addition to the general conditions governed by labour law regulations, the following is set as **conditions for the posts of officials: the title, the field of education, functional and special knowledge and skills.** Work in individual posts and managerial positions may normally be performed in three titles.

In addition to the general conditions governed by labour law regulations, the following is set as **conditions for ancillary posts: the attained level and field of education,**

**work experience, and also proficiency in an official language, functional and special knowledge and skills.**

The procedure for recruiting an **official** is carried out as an **open competition**, and the procedure for new employment in an **ancillary post** is carried out in accordance with the **procedure** laid down by the regulations governing employment relations and the collective agreement. The procedure for ancillary post is therefore not carried out in accordance with the provisions of the Public Employees Act, but according to the procedure laid down in the Employment Relationships Act.

As regards the procedure for recruiting an official, the law stipulates that it is conducted as an open competition. Selection of the candidate is made in the **selection procedure, which assesses the candidate's ability to perform the duties in an official position.** The selection procedure can be carried out in several stages so that candidates are gradually eliminated. It is carried out in the form of an assessment of professional competence from the documentation submitted by the candidate, a written examination of competence, an oral interview or other form. The selected candidate is appointed to a title within eight days of the selection decision becoming final and is offered an employment contract within eight days.

The following is also set as conditions for appointment to a title:

- **citizenship** of the Republic of Slovenia
- not having been **previously convicted** by a final decision for an intentionally committed criminal offence prosecuted ex officio and not having been sentenced to an unconditional sentence of imprisonment for a term of more than 6 months
- **no final indictment** has been filed against such person for an intentionally committed criminal offence prosecuted ex officio.
- **performance appraisal methods**

#### **Method for verifying the fulfilment of conditions<sup>68</sup>**

The verification of the fulfilment of conditions shall be carried out on the basis of three annual performance appraisals. An annual performance appraisal shall be carried out on the basis of elements referred to in the first paragraph of Article 17 of the Public Sector Salary System Act.

The work performance appraisal of a public employee may be: **excellent, very good, good, satisfactory and unsatisfactory.**

#### **Appraisal procedure<sup>69</sup>**

Public employees who work full or part time and have permanent or temporary employment contracts with a budget user is appraised once a year.

The appraisal procedure for a public employee shall be carried out by no later than 15 March of each year.

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<sup>68</sup> Decree on the promotion of public employees, article 3.

<sup>69</sup> Idem, article 4.

The appraisal procedure shall be carried out for all public employees with at least six months employment in the preceding calendar year. An appraisal shall also be made for public employees absent for more than six months due to referral by an employer, and for those absent for more than six months because of injury at work, occupational disease or parental protection (maternity leave).

By the deadline referred to in the second paragraph of this article, a responsible person or a public employee's superior, appointed by the responsible person, shall complete a work performance appraisal sheet of a public employees in the appraisal period. Summary data on the appraisals in the period for promotion shall be entered in a record sheet of promotions of a public employee in the period for promotion. Appraisal and record sheets shall be kept in a public employee's personal file.

A public employee not appraised pursuant to the provisions of the third paragraph of this article shall be appraised at the next appraisal deadline referred to in the second paragraph of this article.

The public employee's appraisal shall be determined by a responsible person or a public employee's superior authorised by the responsible person.

## SPAIN

- general/ specific access criteria

Rules governing access to civil service are firstly settled in Spanish Constitution where the principles of **equality, merit and capacity** are established, and thereafter by Basic Statute for Public Employees<sup>70</sup>, where selection system characteristics and acquiring career civil servant status are regulated.

Everyone who succeeds to go through the recruitment process and is appointed by the competent authority acquires civil servant status.

- recruitment methods

Civil servants recruitment processes are made up of **one or several tests** depending on the corps or scales the candidates try to access and the **corresponding qualification demanded in any case**.

**Exams** can be **written and/or oral**, and candidates must prove the knowledge of subjects provided for by the **competition notice**. Every recruitment process starts with a **public call** which must ensure the constitutional principles of equality, merit and capacity, and where there are established all the competences, abilities and knowledge to be accredited by applicants.

Recruitment process must ensure the **suitability of tests to the tasks** to be developed by civil servants from the corresponding corps or scale.

Rules' governing the selection procedure of civil servants provides for the possibility to complete the process with psycho-technical tests in order to make sure the rationality and objectivity of itself, but in general terms this type of tests are not used in practice.

- performance appraisal methods

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<sup>70</sup> Royal Legislative Decree 5/2015, of October 30<sup>th</sup>

The performance evaluation is a procedure by means of which professional behaviour and performance or the achievement of results are measured and assessed.

Performance evaluation systems shall in all cases meet the criteria of **transparency, objectivity, impartiality and non-discrimination** and shall be applied without detriment to the rights of public employees.

Public administrations shall determine the effects of the evaluation on horizontal professional careers, training, filling positions and receipt of the supplementary pay (bonus)

## SWEDEN

- general/ specific access criteria

Criteria are set in each recruitment according to the requirements to fulfill the work tasks in the current position. The appointment has to comply with the regulation to set skills first in the Public Employment Act<sup>71</sup>. After set the criteria are legally binding and appointment decisions can be appealed.

- recruitment methods

Recruitment methods are decided by the agency but also has to comply with the law of skills and merit.

The agencies has worked a lot the last years to clarify the employer offer to be an attractive employer. Read an example made by SAGE in Let your carrier take off!

- performance appraisal methods

Methods are **decided by the agency** but have to **comply with the requirements set in the general collective agreement on wages**. The employees are entitled to have at least one **performance appraisal dialogue with the nearest manager annually**. Usually the performance appraisal dialogue takes it's starting point in the individual goals set for the employee as part of the goals of the agency/ministry.

## HUNGARY

- general/ specific access criteria

The Act on Government Administration determines **the general conditions/requirements of appointment**: governmental legal relationship may be established and maintained with persons who

- have no previous criminal records
- a disposing capacity
- a minimum educational level of completed secondary education and Hungarian nationality with oath of obligation.

The employer can determine **other professional conditions** for the referred post:

- educational qualification

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<sup>71</sup> 4 §

- administrative basic and special exams, doctorate course, other studies on the field of public administration
- language knowledge
- professional experience
- performing training obligation.
- recruitment methods

In the Hungarian public administration there is **no obligatory application system**. On the basis of the **employer's decision or legal regulation**, the appointment takes place after a **selection procedure**. In the case of a selection procedure, appointment can be given to a candidate who took part in the process and meets the requirements.

The **HR Center** operates a “recruitment database” to promote the selection process and to inform the possible applicants.

- performance appraisal methods

The Act CXXV/2018 on Government Administration and the 89/2019 (IV. 23.) Gov. Reg. determines general and special rules for performance evaluation. According to these legal documents, **performance evaluation takes place based on the discretion of the employer („as needed”)**.

There are two cases when evaluation is obligatory for the employer:

- **once in a year** the employee can ask for a performance evaluation
- when the **employer would like to review/redetermine the salary** of the employee.

Performance assessment takes the form of a **meeting with - and written feedback from - the immediate superior**. There are special **legal consequences** connected to performance evaluation:

- the **salary can be reduced by 20% and increased by 30%**
- **performance acknowledgement** can be given
- in case of **bad performance** (“under average” or “unacceptable” performance level) **dismissal of the employer is obligatory**.