



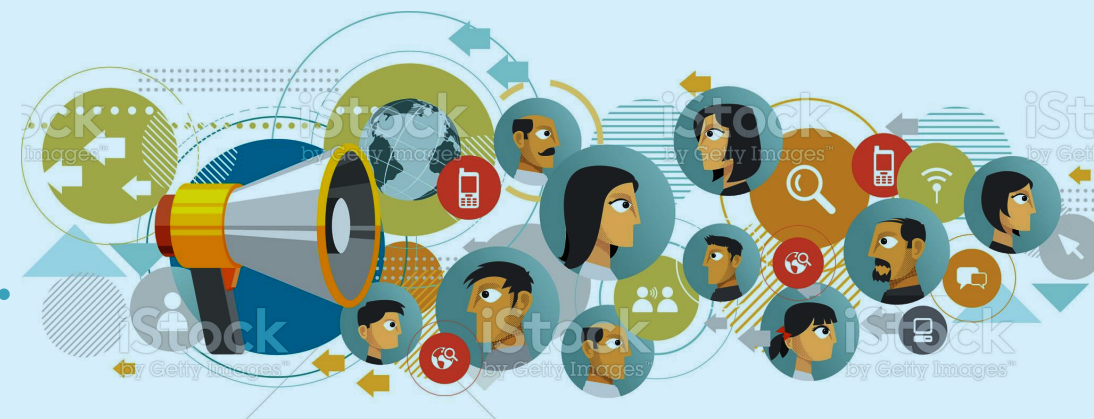
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# HUMAN RESOURCES MANAGEMENT



Practical handbook for human resources departments and managers in the public administration

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# HUMAN RESOURCES MANAGEMENT



TIRANA, ALBANIA

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## Foreword

Albania has embarked on a long journey towards modernization of the state as a means to provide the citizens of the country and the economy with a framework that would lead to development and a better life for all parties involved. In the last decade, Albania has formally expressed its desire to join the European Union as a Member State and signed the SAA agreement in 2006.

After this overarching objective of the Albanian Government was stated and formally set out, a series of strategic documents has ensued, aiming at laying out the main objectives and strategic directions of the reforms in the public administration field. The latest strategic document is the Cross-Cutting Public Administration Reform Strategy 2015-2020.

A significant part of the reform interventions is targeting the human resources working in the central and local public administration, as the turning point of all the modernization initiatives.

The Albanian Government has early realized that concentrating mainly on material aspects of the reforms efforts would not guaranty the success in the absence of sustainable reforms of the civil service itself. This would provide the administration with new will and expertise to further support the introduction of new tools to manage the public affairs, like the introduction of new IT technologies in administration, new public management tools to adopt policies and to plan and modernize the public services.

The first significant step was taken with the adoption of the Civil Service Law no. 152/2013 as amended that completely re-aligned the civil service policy with the overall reforms objectives of the public administration, aiming to foster performance in public management and to ensure the required progress towards EU accession.

The objectives of the Civil Service Law were to create the necessary legal framework for the civil servants' recruitment, promotion and training

policies, aiming for a more transparent, stable, performance-focused body of civil servants. Following the adoption of the law, a series of subsequent legislation was drafted and adopted in order to further detail the HR policy and provide additional tools and clarifications for the departments and experts involved in its execution.

This manual was meant as a tool integrating all the components of the legislation regulating the management of the human resources in the Albanian administration, as well as an effective support tool for HR departments, management and practitioners in this field of activity.

We would, hereby, like to extend our gratitude to the experts and team of the Twinning project "Support to the Albanian Civil Service Reform" for their support in drafting the manual as well as their continuous involvement throughout the implementation of the project in Albania.

**Mrs. Albana KOCIU**  
**Director**

**Department of Public Administration**  
**BC Project Leader of the twinning project**  
**Support to Albanian Civil Service Reform**  
**Tirana, Albania**

## Foreword by the project team

This handbook is the outcome of a long and complex consultation and collaboration process between an extended team of Albanian civil servants with the experts of the Twinning project "Support to the Albanian Civil Service Reform". The process aimed, besides a review of the legal framework and policy for the Human resources working in the Albanian administration, at efficiently integrating all the developments that took place in this area of state policy in the last years and concentrating the information in a coherent and accessible way within this manual. This allows the practitioners to quickly have access and consult information regarding the HR management policy in the State administration and effectively apply this knowledge in their own organisations.

At a strategic level, the handbook contributes to the implementation of an essential component of the "Cross-Cutting Public Administration Reform Strategy 2015-2020" in Albania, as part of the overall national effort to join the European Union. Within this strategic document, an important section is dedicated to policy initiatives aimed at thoroughly reforming and renewing the Human Resources in order to foster professionalism, performance and transparency within the civil service and thus create the basis for further reforms.

The elaboration of this Handbook was coordinated by Mrs Ramona MOLDOVAN - the Resident Twinning Advisor of the project, based on her own expertise as Romanian civil servant and on the important contributions of the following experts, civil servants in the French and Portuguese public administration:

- Mr Jacques ROUDIERE for the *Introduction and chapter 2: Job Classification and Job Description*;
- Mr. Jean-Michel EYMERY-DOUZANS for the *chapter 2: Job Classification and Job Description*;
- Mr Eric ROTY for the *chapter 3: Recruitment*
- Mr Miguel Nuno RODRIGUES for the *chapter 4: Performance Appraisal Process*;

- Mrs Ramona MOLDOVAN for the *chapter 1: The Rights and Obligations of the Civil Servant*; *chapter 5: Disciplinary Measures Procedures and chapter 6: The Restructuring Procedures for the State Administration*.

We would like to take this occasion to thank our colleagues and partners from the Department of Public Administration in Albania for their involvement and support throughout this intense exercise and the entire project. Without their contribution, this Handbook would not have been possible.

And last, but not least, we would like to address special thanks to a very supportive team along the entire development process: Albana Jorgo, Edlira Danaj, Dimiter Mintsev, Ledri Hysenaj and Helene Ravail.

We wish you all a fruitful use of this tool and success in your career as HRM practitioners.

**Mrs. Claudine JUSTAFRE**

**MS Senior Project Leader of the twinning project  
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## List of Acronyms and Abbreviations

<b>ADA</b>	Analyze, Decide, Act (Method)	<b>GVT</b>	Drift in wages due to seniority (GV) and promotions (GT)
<b>ASP</b>	Albanian School of Public Administration	<b>HR</b>	Human Resources
<b>ACM</b>	Advisor for Career Mobility	<b>HRD</b>	Human Resources Department/Directorate
<b>CSL</b>	Civil Service Law	<b>HRM</b>	Human Resources Management
<b>CV</b>	Curriculum Vitae	<b>HRMIS</b>	Human Resources Management Information System
<b>DCV</b>	Disciplinary Committee	<b>ISO</b>	International Standardization Organization
<b>DoCM</b>	Decision of Council of Ministers	<b>LTAC</b>	Lateral Transfer Admission Committees
<b>DoPA</b>	Department of Public Administration	<b>MCQ</b>	Multiple Choice Questions
<b>HRD</b>	Human Resources Director	<b>NES</b>	National Employment Service
<b>FMD</b>	Financial Management Director	<b>NSC</b>	National Selection Committee
<b>ETP</b>	Actual employees present x working units	<b>PAC</b>	Promotion Approval Committee
<b>ETPT</b>	Actual employees present x work-time proportion x activity period in the year	<b>RBOP</b>	Coordinator of programme's operational budget
<b>EU</b>	European Union	<b>SAC</b>	Standing Admission Committee
<b>FTE</b>	Full Time Equivalent	<b>SJD</b>	Standard Job Description
<b>GPEEC</b>	Jobs, staff, and skills management planning	<b>TMC</b>	Top Management Corp
<b>GPRH</b>	Human resources planning		

## Definitions

**Administrative investigation:** A regulated process in which the disciplinary body conducts an inquiry of the facts concerning a certain violation or misconduct.

**Admission procedure:** The procedure whereby the vacancies identified in the annual recruitment plan are being fulfilled.

**Admission:** The structured and regulated process of entering in the civil service.

**Annual recruitment plan:** The vacancies in the public administration approved by the Council of Ministers for the coming year.

**Authorizing official:** The Secretary General, equivalent position to it or the head of the institution.

**Collective vacancy announcement:** A job announcement for more than one similar job positions that is prepared by DoPA for state administration institutions and prepared by the human resource management unit for independent institutions and local government units.

**Collegiality principle for the recruitment process:** The recruitment decisions made by a group of experts, instead of a single person.

**Competency framework:** The structure of competencies related to knowledge, skills and character that form the basis of criteria for selection of successful candidates.

**Continuous training:** Vocational continuous training courses offered by ASPA for civil servants aimed to train continuously and on issues related with the work of civil servants of all categories.

**Countersigning official:** It is the official who directly supervises in the line of the organizational hierarchy, the reporting official.

**Cross-cutting functions:** Functions that encompass more than one area and that interrelate.

**Direct superior:** The direct superior is a person within the public administration as defined in law 152/2013( as amended) Letter e, Paragraph 1, Article 4 .

**Disciplinary body:** The disciplinary bodies, for the civil servants in the executive, low and mid-level management categories are the direct superior or the Disciplinary Committee. For the Top-level Management Corp, the disciplinary bodies are the direct superior or the National Selection Committee. For high-level civil servants in independent institutions and local government units, the disciplinary body is the direct superior or the Disciplinary Committee.

**Disciplinary measures:** a management tool regulated with bylaws, used to correct misconducts or violations (professional or personal) committed by the civil servants/employees within the public administration.

**Disciplinary procedure:** the administrative activity covering the time of the ascertainment of a disciplinary violation, notification in writing of the person who is alleged to having committed the violation and culminating with a final decision by the disciplinary body.

**Eligibility of candidates:** compliance with the criteria set in the vacancy announcement that makes a candidate eligible to apply for the job position.

**Evaluation committee for job classification:** Ad hoc committee set to perform classification procedure within an institution.



## Definitions

**Evaluation grid for job classification:** An evaluation tool that uses several criteria in an integrated mode, which helps in the evaluation process.

**Evaluation form for performance appraisal:** The evaluation form prepared for the performance appraisal process. The form contains several divisions related to personal data, job context, performance goals and indicators, professional conduct, signatures of the evaluators, re-evaluation, and the professional development plan of the civil (see DoCM 109/2014 as amended)

**Executive/expert level:** The lowest hierarchical position in the civil service to provide bureaucratic support or other duties without getting involved in supervisory or decision-making responsibilities. The daily activity requires general administrative knowledge or special knowledge of a particular profession.

**Generic job description:** A job description containing the minimum characteristics of a job.

**Initial/induction training:** Compulsory training courses offered by ASPA for civil servants recently admitted in the executive-level category. These courses will enable these civil servants to understand the dynamics of working in the civil service.

**Job description:** A summary of the mission, introducing general purpose, main duties and responsibilities of the given job position, as well as minimal criteria required.

**Job families:** Jobs of a similar nature arranged together in groups that form a job family.

**Classification of job positions:** Classification of the civil service job positions provided for by DoCM 142/2014 as amended.

**Knowledge:** A set of knowledge/information that applies directly to the performance of the duties of the job position.

**Lateral transfer:** Transfer from one job position to another within the same category in the civil service.

**Low-level management:** Civil servants that are heads of divisions/sectors and the equivalent and are responsible for the supervision and coordination of the administrative tasks.

**Middle-level management:** Civil servants pertaining to the class of Director or the equivalent. They are responsible for managing or coordinating a particular activity subfield within the scope of activity of the institution.

**Mobility:** The right and freedom to move in similar job positions or promoted to a higher-level position within the public administration institutions, part of the civil service.

**Performance appraisal:** Biannual process of verifying the overall performance and capabilities or weaknesses of civil servants in performing the assigned duties; helps to make objective decisions about the probation, promotion and dismissal from the civil service, salary steps upgrading, as well as determining the needs for training and professional development of civil servants.

**Preliminary verification:** the process of checking if candidates do meet the criteria included in the job description, more specifically both the general and specific requirements, in accordance to their application files.

**Probation period:** The period a civil servant is first employed in an executive-level positions within the civil service is called probation

## Definitions

period. The duration of the probation period is one year and the civil servant is subject to mandatory training programs at ASPA and performs his/her duties under the coaching of a senior civil servants of the same or upper category.

**Promotion:** The process of advancing in higher positions within the civil service.

**Provisional winner list:** a preliminary list of successful candidates resulting from the process of applying in the civil service. The final list is determined after taking into consideration all appeals by candidates.

**Reinstatement in the Civil Service:** The return of the civil servant to the previous job position if this position is vacant or to an equivalent one.

**Reporting official:** One of the three actors (reporting, countersigning and authorizing official) involved in conducting the performance appraisal of the civil servants. It is the official, who directly supervises in the line of the organizational hierarchy, the civil servant who will be evaluated.

**Responsible unit:** For the management of the civil service, according to the definitions for the civil service, the Department of Public Administration is the responsible unit for the state administration institutions, part of the civil service. For independent institutions and local government units, the responsible unit is the human resource management unit in the respective institution.

**Restructuring:** The internal change of the institution, reorganization process due to reasons of: changes of the institution's mission, addition or reduction of job positions and functions of the institution, changes of job position's criteria or change of distribution for the performance of functions.

**Skill:** The capacity to perform one or several observable actions, the outcome of which is a measurable or visible output.

**Special/specific requirements:** a list of requirements which are part of the job description that make the difference between the general and specific job description

**State administration institutions:** Office of the Prime Minister, ministries, subordinated institutions to the Prime Minister or to the ministers, direct service delivery units, autonomous agencies and Prefect administrations.

**Suspension:** Temporary interruption of the civil service relationship. It results from reasons provided in the civil service legislation and upon request of the civil servant.

**Top-level management:** The highest job position in the public administration which includes the General Secretary of the Council of Ministers, Presidency, Parliament, independent institutions, line ministries, local government units, Directors of Department/heads of institutions subordinated to the Prime Minister or line ministers, Director of General Directorate in the Prime Minister's Office, line ministries, independent institutions created by law or local government units.

**Recruitment waiting list:** List of successful applicants that have not yet been appointed to a regular position in the civil service; the list is administrated by the responsible unit.

## Introduction



Scope: to ease the work of civil servants in charge of HR issues in the Albanian public administration.

The ambition of this HR Handbook is to support the actions of civil servants in the implementation of the **technical and complex processes** requiring a high level of professionalism and a great competence, as well as to accompany them in their response to the citizen requirements in terms of quality and availability in a modern public administration.

It is not intended to replace the laws and regulations known to civil servants, but to enable them to be used in an easy, informed and effective manner.

**Target:** It is aimed at *all civil servants responsible for managing human resources in the central administration or in ministries* and other legal entities, as well as local managers responsible for leading teams and organizing their work.

This HR handbook seeks to provide **framework, process descriptions, and tools in several key areas of public administration:**

- Organization of work with job classifications and job descriptions;
- Recruitment where short and long-term stakes are essential;
- Assessment of staff whose performance and motivational impacts are at the heart of human resources management;
- Disciplinary measures procedures;
- The restructuring procedures for public administrations.

In each of these areas, the HR handbook provides both a decision support, a help to the exercise of complex skills, references and tools. It is a day-to-day tool for those involved in public administration and human resources management.

It will evolve according to the needs of the administration and the officials serving it, in order to be a tool that will always be in the hands of civil servants.

## Chapter One: The Rights and Obligations of the Civil Servant

In European public administrations, the civil servants are considered as part of a well prepared, professional and elitist body, being recruited **to serve the public interest** and to be accountable for the actions taken in the interest of the citizens.

Thus, one of the first major actions that have to be considered by each employer, by each public managers and HR department within the public institutions is to disseminate, inform and respect the main rights and the main duties of a civil servant as stated in the laws and regulations <sup>1</sup>:

Rights	Duties
The right to appropriate working conditions and right of protection from the state.	Obligation to respect the law and vocational training.
<i>The right to appropriate working conditions in accordance with the law for the protection of physical and moral integrity as well as the dignity of the civil servant. The state institution where the civil servant implements its duties is obliged to ensure good protection of civil servants while on duty and to request, if necessary, the support specialized bodies in accordance with the law.</i>	<i>Perform their duties in the civil service with professionalism, neutrality and in accordance with the terms assigned in the job description as well as with the law. Respect the Constitution and protect the Human Rights and freedoms, and serve the public interest. Improve professional skills through vocational training and continuous training financed by public funds.</i>

Rights	Duties
The right to fair remuneration and salary structure.	Obligation of accountability and refusal of illegal orders.
<i>The right to remuneration for the duties performed in the civil service for any class, following the salary steps established in progressive order, based on the following:</i>	<i>Take full responsibility for the lawfulness of their action, while performing their duty in the civil service. To comply with the orders of their superiors, in accordance with the law and internal regulations of the institution. In case of doubt on the legality of the orders of the superior, a civil servant shall not implement the order, but without delay shall inform the superiors and ask a written confirmation of the order. Obey to the written order, in accordance with paragraph 3 of this article, except for its execution, would constitute a criminal offence.</i>
<i>a) performance appraisal results;</i>	
<i>b) seniority in the civil service;</i>	
<i>c) Successful conclusion of the mandatory training programs for each salary step.</i>	
The right to strike.	Obligation of transparency and confidentiality.
<i>The right to strike, except for state activities such as transport, public television, water, gas and electricity, prison administration, administration of justice, national defence services, emergency medical services, services for the food supply or services for the air traffic control.</i>	<i>To perform their duties in the civil service with transparency and ensure the parties involved as well as the large public the requested information, except when such information is classified by law. Not to use information collected while on duty for purposes other than the ones established by law. To ensure protection and distribution of personal data and those related to commercial or professional activities of persons protected by law, that may come to his knowledge during execution of his duties.</i>

<sup>1</sup> Law no. 152/2013 on Civil Servants (amended) <http://www.dap.gov.al/legjislacioni/per-sherbimin-vil>

Law no. 9131, dated 08.09.2003 "on Ethics Rules in Public Administration" <http://www.dap.gov.al/legjislacioni/per-administraten-publike/44-ligj-nr-9131-date-08-09-2003-per-rregullat-e-etikes-ne-administraten-publike>

Rights	Duties
The right to join trade unions and professional associations.	The obligation of good administration of state property and working time.
<i>The right to establish and join trade unions or professional associations aiming to protect their rights in the civil service. The right to be elected in their steering organs and participate in their activities, outside office hours.</i>	<i>To manage in an appropriate way the state property assigned to them for the exercise of their duties and make a use of it solely for the purposes and destination as determined by law or internal rules of the institution. Comply with the working hours and use working time efficiently and work only for the performance of their duties.</i>
Political rights.	<i>Civil Servants shall refrain from expressing their political persuasions or preferences publicly. Civil servants in top level management category cannot be members of political parties. Civil servants of other categories are eligible to be members of political parties, but cannot be members of their governing bodies.</i>
<i>The right to participate in political activities, outside office hours. The right to run as candidates or be elected for the assembly of the Republic of Albania or for local government bodies. In this case a civil servant shall request for his suspension from the civil service.</i>	
Right to training.	Conflict of interest.
<i>The right and duty to improve their professional capabilities through professional and continuous training financed from public funds, foreign donors or personal income.</i>	<i>To avoid any conflict between their private interest and the public interest during the exercise of their duties.</i>

Rights	Duties
Right to consultation.	Duty of declaration of interests and property.
<i>The right to be consulted, through their trade unions or the representative of the civil servants of the institution on the preparation of legislation and general measures affecting the civil service relationship and working conditions. The trade unions the civil servant is a member of, or the representative of the Civil servants of the institution, where the civil servant performs his duties, are entitled to be consulted on any individual decisions involving a civil servant represented by it.</i>	<i>The civil servants must inform their superiors in forecast of any lucrative activity they seek to achieve outside their civil service obligations. They require a written authorization beforehand from their employer institution. Obligated to inform his superiors without delay in case of doubts on a possible conflict of interest or situation of incompatibility and obey their instructions for the prevention and avoidance of such a conflict of interest. Obligated to submit the declaration of private interests and assets in accordance to the law.</i>
Work duration, leaves and holidays.	
<i>The right to annual paid leave and other paid and non-paid leave.</i>	
Right to information and appeal.	
<i>The right to be notified on the initiation of any procedure and any final decision related to their civil service relationship. The right to inspect their personnel file and to request their modification. The right to appeal to the competent court for administrative disputes against any action or lack of action that violates the rights and legitimate interests in the civil service relationship.</i>	

## Chapter Two: Job Classification and Job Description

### 2.1. Context

In any country, the State is entrusted with many missions, in the domain of sovereignty matters and other public service provision to the citizens and businesses.

*These State missions are not abstractions: they have a practical and operational consistence.*

It means that these missions are performed through *daily activities at work of the public agents or civil servants who work for the State*. These agents hold certain job positions within the State apparatus and/or within its functionally decentralized and subordinated branches and/or organizations.

- Which are these job positions and what is their operational content in terms of tasks and duties, required skills and competencies?

Giving a stable, consistent and widely agreed, if not consensual, answer to that question is essential to *better manage the Human Resource in the Civil Service*, especially in a context of requested better quality of government and better performance of the public administration, which require a better resources allocation, both in quantity and quality, to fulfil the State's missions efficiently and cost-effectively.

#### STEP 1: Classify job positions

**A better identification of the job positions within the State** and

of their related requested competencies allows the authorities to send signals to the work market and to the higher education system regarding the needed profile, in terms of their type and level of knowledge, skills and competencies, of the future employees who are likely to be recruited to fill these public job positions.

Therefore, it makes a lot of sense to gain a better knowledge of all the job positions within the Civil Service, and since they are so numerous



but sometimes similar and/or related, it is of major public interest to **identify, name and describe the most generic job descriptions, and to group them into a few "job families"**, distinguished from each other.

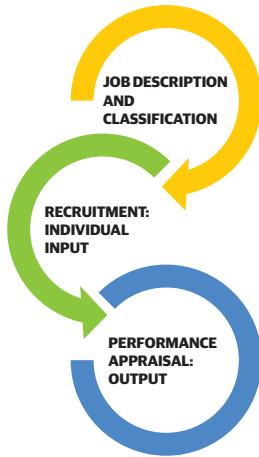
That is precisely the purpose of designing as best as possible a precise set of **generic job descriptions and elaborating a job classification**.

Such an undertaking has been successfully developed and implemented in many major Member States of the EU. In France, for instance, a «*Répertoire interministériel des métiers de l'État-RIME*»<sup>2</sup> (Interdepartmental repertoire of the job descriptions of the State) was elaborated and first issued in the year 2006, then updated several times.

<sup>2</sup>The full text, in French language, of the RIME, can be downloaded from the following link: <http://rime.fonction-publique.gouv.fr/presentation.html>

## A two-fold benefit

The experience gained in several other EU Member States demonstrates the following: the development of a modern and comprehensive Human Resource Management (HRM) strategy for the Civil Service requests the setting up, deployment and careful handling of a good system of consistent overall job classification and detailed generic job descriptions, implemented at all the levels of the administrative hierarchy, from the central ministries to the subordinated institutions and other public entities. They do constitute the necessary basis for both **a qualitative and fair recruitment process at the beginning of the administrative career** – based on the specific job descriptions derived from the generic ones when a precise position is vacant –, and for a **sound and purposeful individual performance appraisal system throughout the career of all civil servants** – which must be based on stable, neutral and pre-existing specific job descriptions.



A well-designed job classification system, refined into as many generic job descriptions as needed, if correctly understood by the public managers in charge and properly used by them, happens to be a cornerstone of modern HRM within the public administration.

As a consequence, it is very important to expose in details, on the basis of the current state of the existing Albanian legislation and regulations, the very logic and the steps of the job classification process (A), and then of the designing of generic job descriptions (B).

## 2.2. Job Classification Process

### 2.2.1. The legal and regulatory framework

The Law n° 152/ 2013 “On the civil servant” amended by the Law n°178/2014<sup>3</sup> adopted on December 18, 2014, establishes a “stable and professional civil service, based on merits, moral integrity, political neutrality and accountability” (article 1). More precisely, article 5 states that “the civil service management shall be governed by law and shall be based on the principles of equal chances, non-discrimination, merits, transparency, professionalism and political impartiality, and guarantee the stability of the civil servants as well as the continuity of the civil service”.

One of the major practical implications of such principles is to depersonalize the recruitments, the retributions and the promotions within the Civil Service so as to avoid favoritism, based on party politicization and/or on nepotism and clientelism. A real depersonalization can only be achieved practically on the basis of an a priori and in principle distribution of the generic job positions into categories and classes, in accordance with the nature of the positions and not of the identity of the actual or likely holders of these positions. Therefore, consistently enough, Chapter III of the Law provides for a whole system of classification of civil service positions.

Article 19 decides to divide and define all civil service positions based on the category, the class and the nature of the position. The division shall be made based on the job description for each position.

The main categories are four: top-level management; middle-level management; low-level management; expert level.

Each of these main categories is subdivided into classes. The Law adds that the Council of Ministers is entrusted with the responsibility of defining “the classes applicable for each of the categories; the general job description for each of the categories, classes or groups provided for

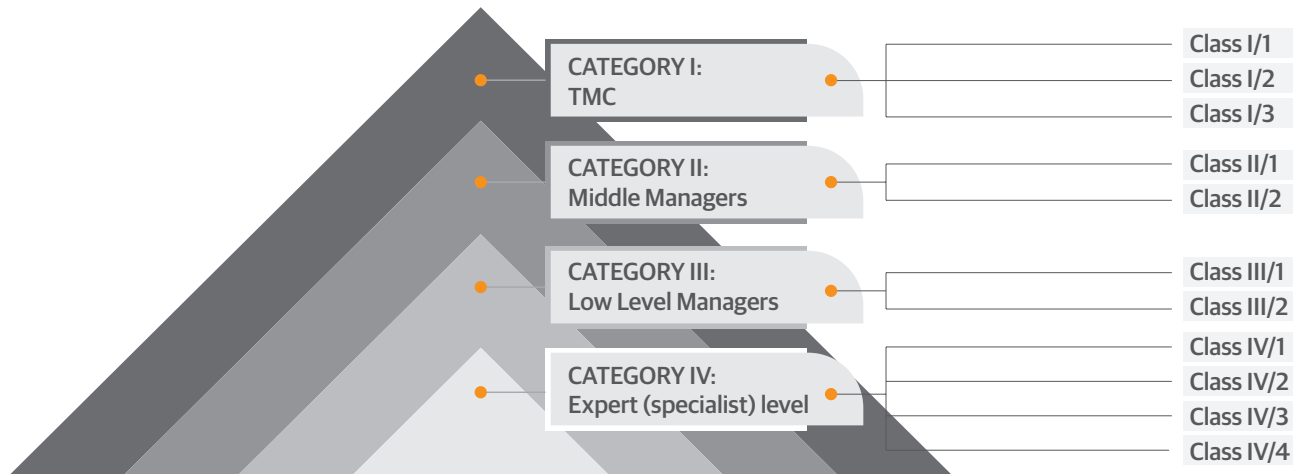
<sup>3</sup> Law on the Civil Servant : <http://dap.gov.al/legjislacioni/per-sherbimin-civil>

by this article; the general job requirements for each of the categories, classes and groups provided for by this article; the positions titles part of each category, class and group; and the methodology for the classification of a position to a given category, class or a certain group”.

Consequently, the Decision of the Council of Ministers (DoCM) no.142, dated 12 March 2014, “On the description and classification of job positions in the public administration institutions and independent institutions”, as amended all along with their important annexes, have established the details of:

- The classes applicable for each of the categories;
- The general job descriptions and the minimum requirements for each category, class and group;
- The positions which fall into each category, class and group;
- The methodology of the classification of a position into a certain category, class and group.

According to DoCM no. 142 as amended, which constitute the current existing regulations, the classification of the positions within the Albanian Civil Service can be summarized as follows:





### a. Top Managers Corps (Category I)

Class I/1	Class I/2	Class I/3
General Secretary in the Council of Ministers, Office of the President, Assembly, and independent Constitutional Institutions.	General Secretary in line ministries, independent institutions established by law, local government units/departments directors /heads of institutions subordinated to the Prime Minister or line ministers.	General Secretary in local government units, director of General Directorate in the Prime Minister's Office, line ministries, independent institutions established by law, local government units/heads of institutions subordinated to the Prime Minister or line ministries.

### b. Middle managers (Category II)

Class II/1	Class II/2
Director of General Directorate in the local government units, Director of Directorate in the Prime Ministers' Office, line ministries, independent institutions established by law, heads of institutions subordinated to line ministers, director of directorate in institutions subordinated to the Prime Minister or line ministers.	Director of directorate in institutions subordinated to the Council of Ministers, line ministers, and local government units.

### c. Low level managers (Category III)

Class III/1	Class III/2
Head of sector of level A.	Head of sector of level B.

### d. Expert (specialist) level (Category IV)

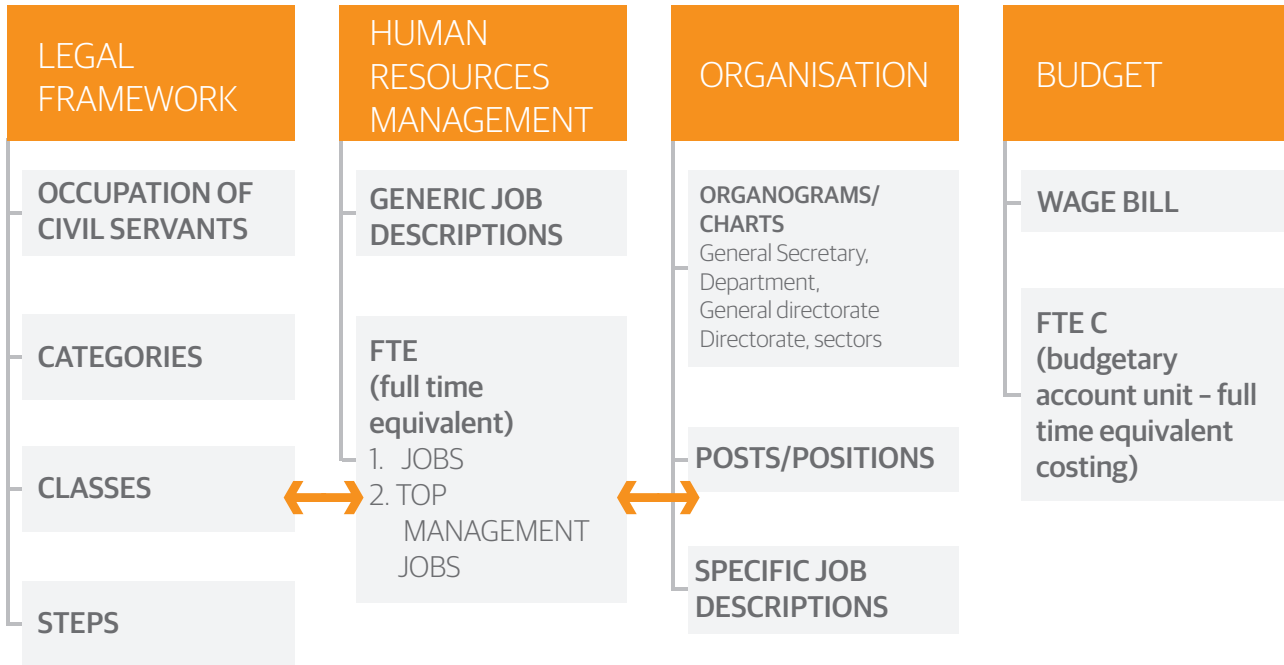
Class IV/1 Expert Level A	Class IV/2 Expert Level B	Class IV/3 Expert Level C	Class IV/4 Expert Level D
<b>Classified into:</b>			
Group of special administration positions		Group of general administration positions	

## 2.2.2. The main tasks, actors and management tools

As mentioned above, the job classification of all the positions within the Albanian Civil Service has been made compulsory by the Law No. 152/2013 on the Civil Service.

It was first needed as a nation-wide exercise a priori so as to be able to set the whole scenery of the Civil Service, and as such this has already been achieved in the latest years. Then, revisions, enrichments and refinements of some branches of the whole classification may be needed, from time to time, when, e.g.:

- A new position is created
- The change of the job description for the existing positions is so essential that it requires a reclassification of the position, in accordance with the new duties and responsibilities;
- Is requested on the bases of the law or bylaws



How such a job classification procedure should be conducted <sup>4</sup>?

Following are some indications dedicated to help and support HR practitioners in handling with professionalism and rigor the successive steps of this process.

<sup>4</sup> For a more rigorous process, please use the HR self-diagnose grid presented in the section "Useful management tools and documents"

### a) Establishment of the evaluation committee

The classification procedure, when needed, is entrusted to an ad hoc committee established and dedicated to perform that task.



#### Who is appointing such a committee?

- The committee is appointed by the Secretary-General of the institution where the administrative reorganization takes place and/or which is newly established.

#### What is the composition of the committee?

- The committee is composed of job analysts from the HR unit of the institution, complemented with other civil servants chosen from the same ministry.

#### What are the documents which are needed by the committee to accurately perform its task?

- It is obvious that the committee needs all the existing administrative documents about the ministry/institution in general, and the precise services, units, positions that are concerned with the classification process, such as:

- legislations and regulations applicable to the institution;
- actual and/or provisional organizational chart of the institution;
- strategic plan of the institution (if any);
- details of the budget of the institution;
- Other relevant pieces of information necessary to appreciate the nature and missions of the job positions which are to be classified, e.g. previously existing organizational charts, previous job descriptions in the same domain (if any), etc.

These documents should be delivered in advance to the members of the committee to let them time to study them, prior to the meeting.

### b) Identification of the position/positions to be evaluated

**The position/positions to be evaluated and classified are identified by the Secretary-General of the institution**, in discussion with the chairperson of the committee (if not the same person).

When established, the committee should work professionally and devote the sufficient amount of time and energy to make sure that each position is assessed properly, and that the positioning of each position in the whole classification is the result of a consensus and common agreement amongst the members of the committee.

### c) Factor and score based evaluation according to a specific assessment methodology

The methodology for job positions classification in the Albanian Civil Service is exposed in details in the **Annex 5 of the DoCM 142**. This system is based on four key factors, which have been considered to be common to all the types of job positions as follows:

1. Problem solving;
2. Decision making;
3. Management environment;
4. Technical environment

In addition, each of these four factors is due to be evaluated against two criteria, through which the relative weight of each job position is determined at the end, and the position is rank-ordered within the whole scale.

Factors	Criteria 1	Criteria 2
Problem solving	Complexity of the problems	Consequences of the solutions
Decision making	Type of decision	Freedom to act
Management environment	Operational focus	Subordination relations
Technical environment	Education	-

Therefore, the evaluation exercise should end up, at each step and for each factor and criterion, with a score associated to each modality of the variables.

The practical problem is that Annex 5 to DoCM n° 142 only provides, at the very end of the document, a summary table of job positions evaluation, which is very schematically designed, and a reference table of the minimum and maximum total score requested for the inclusion of the evaluated job descriptions into each of the four main hierarchical categories of the Albanian Civil Service. Here are these tables:

FACTOR	POINTS	EXPLANATORY NOTES
PROBLEM SOLVING		
DECISION-MAKING		
MANAGEMENT		
TECHNICAL ENVIRONMENT (EDUCATION)		
<b>TOTAL</b>		

CATEGORIES	POINTS
Category I: top level management	151-200 points
Category II: mid-level management	101-150 points
Category III: low level management	51-100 points
Category IV: experts	Up to 50 points

#### d- Approval:

The final rating of the position is assessed and approved by the evaluation committee and sent to DoPA for the final agreement.

## 2.3. Job Descriptions

### 2.3.1. The legal and regulatory framework

- DoCM no.142, dated 12 March 2014, "On the description and classification of job positions in the public administration institutions and independent institutions", as amended.
- Guideline no. 2, dated 7 April 2014, "On drafting job descriptions for positions in the Civil Service"<sup>5</sup>

The summary of the **general job descriptions** by categories and classes, as they are approved in the bylaw:

<sup>5</sup> Decision no. 142, dated 12.3.2014 On the Description and Classification of Job Positions in the institutions of state administration and independent institutions (amended) <http://www.dap.gov.al/legjislacioni/per-sherbimin-civil/117-vendim-nr-142-date-12-3-2014-per-pershkrimin-dhe-klasifikimin-e-pozicioneve-te-punes-ne-institucionet-e-administrates-shtetore-dhe-institucionet-e-pavarura>

## a. Top Managers

Class I/1	Class I/2	Class I/3
The general secretary	Director of the Department/head of institution subordinate to the Prime Minister or to the line minister	Director of the General Directorate
Problem solving (Complexity & Consequence);		
Decision-making (Type & Freedom of Action);		
Management environment: (Management relation & operational focus);		
<p><b>Knowledge and skills:</b> extensive knowledge about the area of responsibility of the institution, the budget management system and civil service, knowledge of administrative law and very good management skills (leadership), policy formulation, strategic management, analytical skills, communication, negotiation; judgment and initiative to deal with complex problems is regularly required.</p>	<p><b>Knowledge and skills:</b> extensive knowledge about the area of responsibility of the institution, the budget management system and civil service, as well as very good management skills (leadership), policy formulation, strategic management, analytical, communication, negotiation skills; judgment and initiative to deal with complex problems is required regularly.</p>	<p><b>Knowledge and skills:</b> extensive knowledge of program/subfield of operational responsibility covered by the general directorate/subordinated institution, analytical skills, communication, coordination; ability to set objectives, to set priorities and meet deadlines; judgment and initiative to deal with complex problems is regularly required.</p>

## b. Middle managers

Class II/1	Class II/2
the management of a directorate in the Prime Minister's Office or Ministry/ institution	the management of a directorate
Problem solving (Complexity & Consequence);	
Decision-making (Type & Freedom of Action);	
Management environment: (Management relation & operational focus)	
<p><b>Knowledge and skills:</b> extensive knowledge of policy, legislation, procedures according to the activity as covered by the directorate, very good knowledge of administrative procedures; very good professional knowledge; ability to set objectives, to set priorities and meet deadlines; ability to plan, review and manage the work of staff under his control; very good communication and presentation skills; analytical skills and flexibility in terms of accepting new methods and procedures.</p>	<p><b>Knowledge and skills:</b> extensive knowledge of policy, legislation, procedures according to the operation as covered by the directorate, very good knowledge of administrative procedures; very good professional knowledge; ability to define objectives, to set priorities and meet deadlines; ability to plan, review and manage the work of staff under his or her control; very good communication and presentation skills; analytical skills and flexibility in terms of accepting new methods and procedures.</p>

### c. Low level managers

Class III/1	Class III/2
the head of division and the positions equivalent to it	the head of division
Problem solving (Complexity & Consequence);	
Decision-making (Type & Freedom of Action);	
Management environment: (Management relation & operational focus)	
<p><b>Knowledge and skills:</b> Very good knowledge of specialties within a specific professional area and of policies and programs related to the field of the specialty. Skills to provide technical management, to coordinate, control and evaluate the activities of subordinates and use of resources; the ability to exchange technical ideas and opinions and to argue respective proposals; very good organization, communication and presentation skills.</p>	<p><b>Knowledge and skills:</b> Very good knowledge of specialties within a specific professional area and of policies and programs related to the field of the specialty. Skills to provide technical management, to coordinate, control and evaluate the activities of subordinates and use of resources; the ability to exchange technical ideas and opinions and to justify respective proposals; very good organization, communication and presentation skills.</p>

### d. Expert (Specialist) level

Class IV/1	Class IV/2	Class IV/3	Class IV/4
Expert Level A	Expert Level B	Expert Level C	Expert Level D
Problem solving (Complexity & Consequence);			
Decision-making (Type & Freedom of Action);			
Management environment: (Management relation & operational focus)			
<p><b>Knowledge and skills:</b> extensive knowledge of the field and of research methods, which help prepare basic or analytical reports; ability to integrate information with institutional policies, the ability to identify and clarify issues, to provide alternative opinions based on professional experience, skills to evaluate policy options and to predict the consequences of their selection.</p>	<p><b>Knowledge and skills:</b> General knowledge of the principles, concepts, methods and techniques of a profession, sufficient to perform the tasks of the position. Skills to select necessary information or reference materials that are needed to perform the tasks, which have to do with the relevant field of knowledge; very good organizational skills.</p>	<p><b>Knowledge and skills:</b> General knowledge of the principles, concepts, methods and techniques of a profession, sufficient to perform the tasks of the position; ability to select necessary information or reference materials that are needed to perform the tasks, which have to do with the relevant field of knowledge; very good organizational skills.</p>	<p><b>Knowledge and skills:</b> General knowledge sufficient to perform the tasks of the position; ability to select necessary information or reference materials that are needed to perform the tasks, which are related to the position; ability to accomplish job practices by the required deadline.</p>

### 2.3.2. Practical development of the job descriptions <sup>6</sup>

Based on the general job descriptions provided by the existing regulations, each public administration institutions have to build specific job descriptions for all the positions.

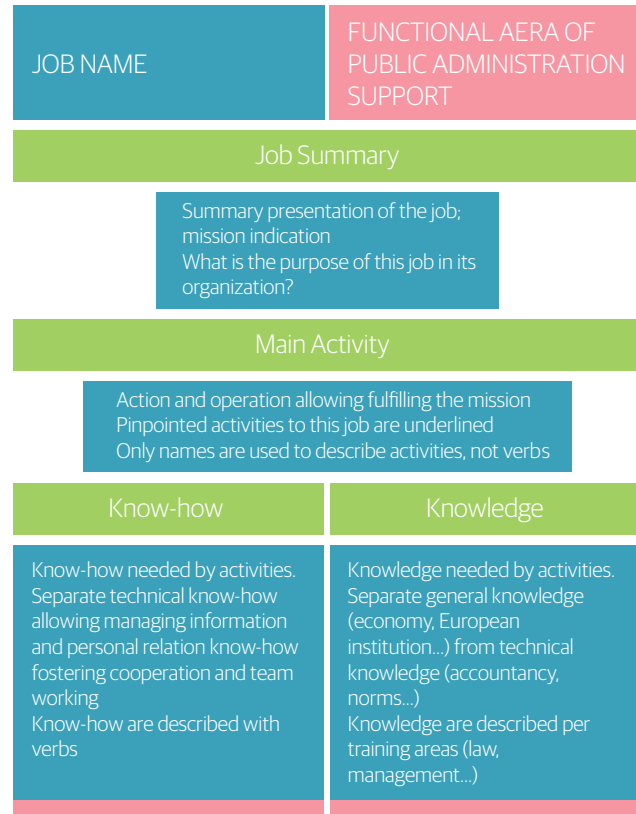
In order to do so, it is highly recommended to start from a generic job description giving the minimum mandatory characteristics of a job and then continue with the developing of the specific job descriptions, by adding the details regarding the tasks and specific attributions.

Before going into details regarding the practical development of the specific job descriptions, it is important to visualize the general frame of the job description and the meaning of each section applicable to all jobs in a public administration:

- Job Name
- The area of public administration where this job is part of
- Job summary: highlighting the mission and the overall purpose of the job
- Main activity: mentioning the main tasks that have to be performed in a specific job
- Know-how: the required skills by the activities describing the job
- Knowledge: the required knowledge by the activities describing the job

In direct relation with the Albanian legal framework, a particular line should be added to the frame described in this chapter, namely: special requirements of the job. This section will describe the profile of the employee required to fulfil the tasks mentioned in the job description.

Below you can find the general frame of the generic job descriptions as described above.



<sup>6</sup> Decision no. 142, dated 12.3.2014 on the description and classification of job positions in the public administration institutions and independent institutions (amended) <http://www.dap.gov.al/legjislacioni/per-sherbimin-civil/117-vendim-nr-142-date-12-3-2014-per-pershkrimin-dhe-klasifikimin-e-pozicioneve-te-punes-ne-institucionet-e-administrates-shteterore-dhe-institucionet-e-pavarura>

<http://www.dap.gov.al/attachments/article/168/UDHËZIM%20Nr.%2001%20Datë31.05.2017%20PËR%20HARTIMIN%20E%20PËRSHKRIMIT%20TË%20POZICIONEVE%20TË%20PUNËS%20NË%20SHËRBIMIN%20CIVIL.pdf>

## Special requirements

Qualification: "Professional Master" degree in economic sciences.

In the documents already approved by DoPA you will find the standard job description with the minimum requirements for the general positions of the Albanian public administration:

- Decision of the Council of Ministers no. 305, dated 5.4.2017 On some additions in *Decision no. 142, dated 12.3.2014, of the Council of Ministers, "On the description and classification of job positions in the public administration institutions and independent institutions, amended;*

- Instruction no. 01 dated 31.05.2017 On the Drafting of Job Descriptions in Civil Service;<sup>7</sup>

## NEXT STEP: THE SPECIFIC JD



Starting from the general description of the job the next step for each institution is to define **the specific job descriptions** for each position in the organization, based on the approved organizational chart.

In the next pages, you can find brief details and information that should be developed in each section of the specific job description:

### I: DATA ON THE JOB POSITION

Title of the position:  
Institution: Ministry of .....  
General department:  
Directorate:  
Sector:  
Reports to the: Minister of .....

### II: MISSION

Title of the position:  
Institution: Ministry of .....  
General department:  
Directorate:  
Sector:  
Reports to the: Minister of .....

*This section is very factual and descriptive.*

The only sensitive issue comes with the latest line, "**Report to...**": here is the place where the positioning on the hierarchical scale of the given job position is clearly stated.

According to the current legislation, by "mission" is meant "*a summarized statement which expresses **the essence of the purpose** for which the relevant institution or respective organizational unit, where the job position **for which the job description is being developed exists.*** The mission should communicate the purpose of the institution/organizational unit concerned, both regarding current employees, and the public".

On the basis of the working sessions of the Twinning's experts with officials in several ministries, Section II seems to be often confusing: its focus is on the organization's objectives and duties, not on the missions of the employee. As a result, the content of this section, when written, is usually general in scope.

<sup>7</sup> <http://www.dap.gov.al/attachments/article/168/UDHËZIM%20Nr.%2001%20Datë31.05.2017%20PËR%20HARTIMIN%20E%20PËRSHKRIMIT%20TË%20POZICIONEVE%20TË%20PUNËS%20NË%20SHËRBIMIN%20CIVIL.pdf>



### III. OVERALL PURPOSE OF THE JOB POSITION

(NB: The line of reporting and main responsibilities which are fulfilled in this position should be specified)

In this section, the purpose is to give a short summary of the main content of the specific job position. This summary should be kept short (no more than 5 lines), so as to avoid the overlapping and repetitions (frequently observed) with section IV below. Vague and ambiguous words shall be avoided, and the sentences really focused on the specific job role within the organization.

### IV. MAIN DUTIES

The main tasks are those which define the main reason of the existence of the job position; generally such tasks account for the largest share (80%) of the time of the employee. In general, less important tasks account for a smaller share (20%) of the time, and are not decisive in the performance appraisal. Actually, the less important tasks according to the job position are not clearly specified and usually are expressed as: "Time after time performs other tasks which may be assigned to him/her». It is possible to present main tasks (linked to the activity) and managerial tasks (staff assessment...). The main tasks should be presented as the result of the work performed."

We strongly advice that the abovementioned percentages are used only as indicative, and that the officers who draft the SJD avoid a never-ending accumulation of details. They shall stay strictly focused on the core missions of the given position, and shall rank-order them (using bullet points), starting with the most important aspects of the job position.

On the basis of the working sessions of the Twinning's experts with officials in several ministries, Section II seems to be often confusing: its focus is on the organization's objectives and duties, not on the missions of the employee. As a result, the content of this section, when written, is usually general in scope.

### V. MAIN RESPONSIBILITIES RELATED TO:

This section is divided into "responsibilities for the planning and objectives, management and technical tasks, and institutional representation and cooperation".

It is obvious that there is much overlapping, confusion and repetitions between Section IV and Section V. The theoretical distinction between "tasks" and "responsibilities" is obscure and fragile, if not impossible to fix. The Guideline itself mixes up the two, since there are remarks on tasks within the paragraphs devoted to Section V.

Our recommendation is thus to avoid repeating in other words the main tasks already listed within Section IV, and to mention within this Section V only the aspects of the duties of the concerned job position that can be assessed, and even ideally measured, and for which the holder can thus be made accountable and, finally, "responsible". Example: "Delivers twice a year a report on the implementation of ... (a related main task) " .

We strongly advice that the officers who draft the SJD avoid a never-ending accumulation of details. They shall stay strictly focused on the core missions of the given position, and shall rank-order them (using bullet points), starting with the most important aspects of the job position.

It seems to be often confusing: its focus is on the organization's objectives and duties, not on the missions of the employee. As a result, the content of this section, when written, is usually general in scope.

## VI. PROBLEM SOLVING

Identify main problems to solve degree of complexity and describe them.

For example: communication, coordination, crisis...

## (COMPLEXITY AND EFFECTS)

## VII. DECISION -MAKING

(TYPE AND FREEDOM OF ACTION)

Identify initiative degree and impact of decision plus specific processes of decision making

Describe hierarchical control

## VIII. MANAGERIAL ENVIRONMENT

(RELATIONSHIP OF MANAGEMENT & FOCUS OF THE ACTIVITY)

Describe hierarchical line above and below

## IX. SUPERVISION

This section "provides what kind of supervision the official in office needs, and who is the function to carry out the supervision. Usually the supervision is carried out by the direct superior".

## X. SUBORDINATED STAFF

(IF ANY)

In this section, the subordinated staff of the position for which the job description is being drafted is determined. The determination of the subordination is made by referring to the organizational structure of the respective institution/organizational structure.

In the vast majority of SJDs, which are related to specialists' positions, this section remains empty.

## XI. WORKING CONDITIONS

This section defines special requirements for a certain job position which may be either due to the special nature of the work or for the realization of some specific working conditions" (e.g. working beyond official working hours, etc.).

## XII. SPECIAL REQUIREMENTS

(EDUCATION / WORK EXPERIENCE /OTHER, FOR THE

CATEGORY / CLASS/GROUP) EDUCATION: SCIENTIFIC

MASTER IN THE AREA OF ..... EXPERIENCE:

This section defines the specific requirements of the job position, regarding the level of education and major field of study, work experience defined in time terms and respective position, as well as knowledge and general and specific skills needed to successfully fulfil the function of the job position. It is very important to make an accurate determination of the special requirements, as they will serve as the main criteria in the process of recruitment and selection of candidates for a particular job position".

Our recommendation is to slightly adapt and clarify the existing sub-sections as follows:

Level of Education and requested knowledge: under this item, we strongly recommend not to self-limit to a number of years in the higher education (e.g. bachelor, or master) but to cautiously monitor which specific types, domains, disciplines of education are the most suitable for each SJD, and also to add a sound and credible, yet short description of the key features of the requested knowledge from the persons who shall hold the considered position.

Experience and requested skills and competences: as it is abovementioned, competence is the product of a combination of knowledge and skills, and skills are very much related to the issue of appropriateness: what is appropriate, necessary, thus required to fulfil properly one's duties/missions? It is only the SJD that can answer in a stable and validated way this question, allowing a professional relationship between the civil servant and his/her superior. In case

there is a lack of clarity in the SJD as regard he requested competences and skills, then the door is immediately open for a subjective, affective, discretionary, non-professional "appraisal" of the professional (lack of) performance of the employee, with the subsequent risks in terms of favouritism and a quick rise of incompetence.

**SIGNATURE: DIRECT SUPERIOR: MINISTER**

**SIGNATURE: APPROVES:**

**MINISTER: SIGNATURE:**

In this last section of the job description, defines the way how this document shall be signed, acknowledging the recognition and agreement on the document, by the side of the civil servant for whom the job description is drafted, of the direct superior and of the Secretary General.

### 2.3.3. Useful management tools and documents

#### VOCABULARY

In order to facilitate the usage, below you can find some definition of terms:

##### Functions

*Activity groups, which give a final result. This result is directly related to achieving one or more strategic objectives of the institution.*

##### Mission

*A summary statement (maximum ten words) that expresses the essence of the purpose for which a ministry exists, another organizational form or a structural unit within it.*

##### Strategic Objective

*An objective that is clearly and comprehensively linked to the realization of the mission of the institution; A goal to be achieved within a few years, which is measurable in the sense of the degree to which it is realized or to which can be achieved.*

##### Strategic Direction

*The ability to anticipate, to predict, to maintain flexibility and to encourage and empower others for them to become able to make the necessary strategic change. Strategic direction is multifunctional in nature and its meaning relies in managing through others, and moreover on managing an entire institution than a particular entity.*

##### Freedom to Act

*Take into consideration the authority given to the employee in the framework of taking action, without needing approval from a higher organization level.*

##### Inclusive Supervision

*Implies the supervision of a number of job positions related to each other. Among the tasks included are the participation in the recruitment process, training, setting priorities, performance evaluation implementation, recommendations for contract interruption, etc.*

##### Job Analyst

*The civil servant responsible is accountable for collecting the information of the job position and analysing it with the purpose to define precisely tasks, responsibilities, special requirements of the position and the drafting of the job descriptions.*

##### Activities

*Activities are a set of specific tasks, organized with a specific goal. The activities do not include only a task, but a variety and their description starts with an active verb.*

##### Skills

*Skills are a set of qualities and abilities of a person, to perform determined tasks and to maintain a position. The concept refers to psychic and intellectual abilities as well as behavioural characteristics.*

##### Task

*Task, description of the specific content of a position or function.*

## Competence

*The competence is a result of the combination of knowledge, to-know- what, interpersonal skills, implemented to behave and act in the appropriate manners in a specific work environment. The competence can be evaluated.*

## Knowledge

*Knowledge - refers to the theoretical and practical knowledge benefited during professional formation or experience.*

## Work

*Work - in functional terms corresponds to a work situation in a specific institution. Work requires the fulfilment of a variety of tasks and responsibilities in the service of the mission, and also of a specific profile.*

## Profile

*Profile refers to a group of qualifications, skills and knowledge required in an employee to perform a job or function.*

## Job Position

*The job position corresponds to the concrete work situation, responsibilities, tasks to be performed, through the means and resources available to the employee holding the position. The job position is the basic unit of the institution/ structural unit, described concretely and limited in space and time regardless of the person holding it and consisting of a variety of activities.*

## Interpersonal Skills

*Interpersonal Skills- means essential skills to "know- how" to behave (how to behave in a special professional environment).*

## To Know - How

*To know how - the expertise that is required varies from the ability to comply with the required tasks in managing complex situations and new situations through mastered tools, techniques and needed methods to keep the employment references.*

## Verbs that are recommended to be used in a job description

### Advice

*Advice: to recommend a manner of acting in a given situation; To provide an opinion based on specialized knowledge.*

### Evaluate

*Evaluate: To judge based on expertise regarding something of value or merit.*

### Approve

*Approve: To accept something as enjoyable; Exercise the ultimate authority over resource engagement.*

### Report

*Report: to explain analysis or provide explanations.*

### Define

*Define: to specify or formulate tasks to be performed by others.*

### Cooperate

*Cooperate: to cooperate together with others.*

### Confirm

*Confirm: to approve, to assure validity.*

### Control

*Control: to measure, to interpret and evaluate actions for compliance with required plans or results.*

### Coordinate

*Coordinate: to regulate or combine other actions in order to assure harmony at work.*

### Propose

*Propose: to draft or declare a plan or purpose.*

## HR SELF DIAGNOSE GRID

To be used at different levels of exercise of HRM (central interdepartmental/ministerial, decentralized)

I - Available quantitative and qualitative information	
A- quantitative data	
• <i>What are the quantitative data available to me?</i>	
	Reliability of the quantitative data available
<b>• Information about the existing effectives:</b>	
Knowledge of the present staff (expressed in physical strength and ETPT)	0 or 0,5 or 1 <sup>8</sup>
Knowledge of demographic data on the physical strength (pyramids by status and physical ages, average age...)	
Knowledge of the methods for calculating the ceiling of jobs and payroll	
Control elements for the calculation of the positive GVT (evolution of the remuneration of the officers present) and other elements for the calculation of compensation (indemnity, other...)	
Control elements for the calculation of the positive GVT (evolution of the remuneration of the officers present) and other elements for the calculation of compensation (indemnity, other...)	
<b>• Information related to the flow of personnel:</b>	
Knowledge of the departures (pensions, end of contract, requests for transfers, detachments...)	
Existence of a statistical projection of the outputs identified earlier by types of patterns: mutation, success of competition, etc...	
Knowledge of predictable incoming flows (outputs from schools, committed recruitment, forecasted returns from detachments...)	
Knowledge about the implications of the requalification plans engaged	
<b>• Predictive knowledge of budget data</b>	
The forecasted evolution of the payroll envelope in the medium term (3 years)	
The forecasted evolution of the ceiling of jobs in the medium term (3 years)	
<b>Results of the assessment out of 10</b>	<b>/10</b>

<sup>8</sup> 0= absence of documents or knowledge or unreliable elements;  
 0,5 = elements moderately relevant or under way to be established;  
 1 = pertinent elements.

**• What are the data that I consider to be the most reliable?**

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**• What data I know less well?**

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**• How to quickly improve my knowledge of the quantitative elements that I've rated as less reliable?**

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**B- Qualitative data**

**• What is my knowledge about the evolution of the missions / trades of my administration?**

	<b>Qualitative elements available:</b>
Existence of a framework document or clear strategic directions specifying the evolution of the missions of my administration/ my structure:	0 or 0,5 or 1 <sup>9</sup>
Existence of a ministerial list of jobs:	
Knowledge of trades / skills I'll need tomorrow given the evolution of my assignments:	
Knowledge about the rare skills or positions that I identified as "critic" to be filled:	
Knowledge about the positions that I have to redeploy given the evolution of service missions, reorganizations, foreseeable technological advances or changes in procedures.	
<b>Result of the assessment out of 5</b>	<b>/5</b>

<sup>9</sup> 0= absence of documents or knowledge or unreliable elements;  
 0,5 = elements moderately relevant or under way to be established;  
 1 = pertinent elements.

• Given the results on this table, what are the actions that I can do to improve my level of knowledge of the evolution of the missions quickly / trades of my administration?

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• **What are the available HR resources?**

	<b>Available HR resources:</b>
Existence of a framework document or clear strategic directions specifying the evolution of the missions of my administration/ my structure:	0 or 0,5 or 1 <sup>10</sup>
Existence of job descriptions established based on a registry of trades and skills:	
Existence of a training plan and a training unit to be employed according to the evolution of skills needed for the service (s)	
Practice of the professional interview (annual assessment) following concrete operational developments:	
Existence of a network of HR competent officers able to implement a personalised human resources management (cell mobility, career advice, training, social action...)	
<b>Result of the assessment out of 5</b>	

<sup>10</sup> 0= absence of documents or knowledge or unreliable elements;  
 0,5 = elements moderately relevant or under way to be established;  
 1 = pertinent elements.

• In view of the results achieved in this table, what are the HR resources I can mobilize more easily?

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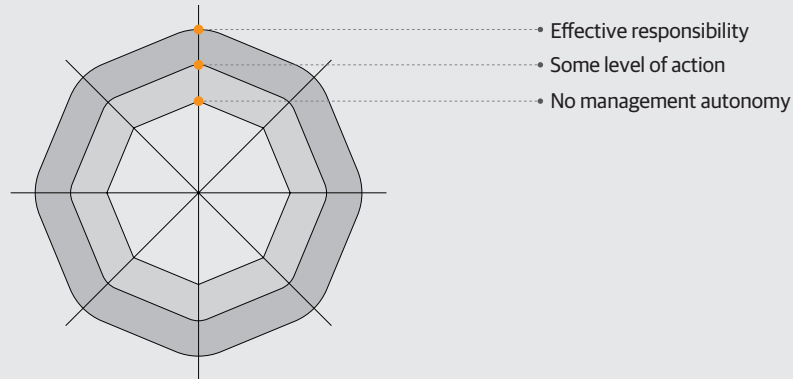
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## II- Determinants related to the organizational and managerial context

"I am making a State of affairs of the managerial levers that can be mobilized as part of an action plan of GPRH"

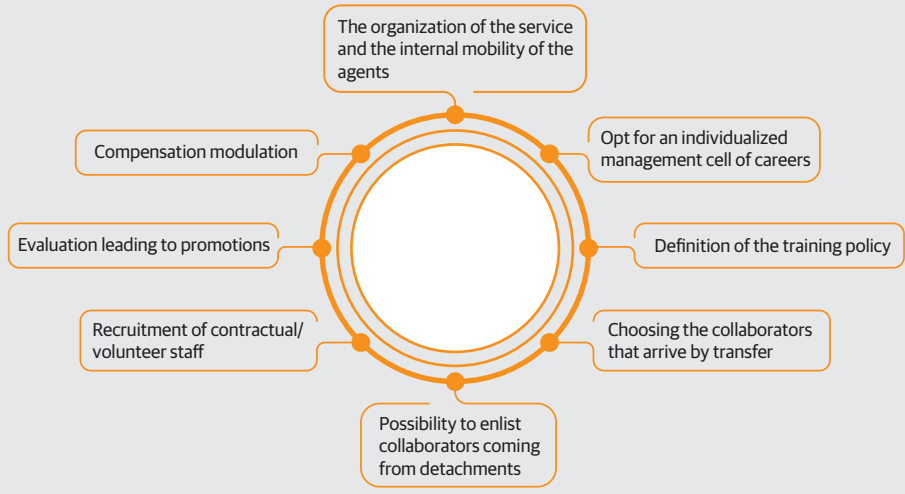
### • How do I diagnose the degree of autonomy of the manager in the HRM field?

*It is recommended that the person who leads a predictive management approach to achieve a HR action plan within its scope of responsibility, to ask himself this type of question.*





**Example of a tool to measure the autonomy of the manager.**



**• How do I identify areas for which my levels of autonomy are weak, medium or strong?**

*From the 'target' above, I re-classify items in the table below based on the levels of autonomy diagnosed:*

No management autonomy	Some level of autonomy/action	Effectively responsible
..... ..... .....	..... ..... .....	..... ..... .....

## • How is the HR management dialogue organized?

- Is the level of de-concentration in the HRM organization mainly...?  
Departmental?  
Regional?  
Other?
- How is the dialogue of HR management among policy makers at the central level (DRH - DAF and program) or at the decentralized level (RBOP, personnel and budget and financial manager) organized?
  - meetings
  - management chart
  - HR Committee
  - Other

## A five-step method The definition of the strategic priorities of the HR policy

The process of HRM takes place in 5 steps with the first 4 matches the exercise of GPEEC and the last to the construction of the HR action plan. (see introduction)



### STEP 1: Identify the available resources

This is about taking a picture of the HR available at time "t", both in terms of quantity and quality, by showing their geographic distribution. This census should include the allocation of resources in jobs, which allows a first comparative analysis by measuring the adequacy of the available HR to the authorized jobs.



### STEP 2: Plan the resources on short and medium term

This about performing simulations on the short term (1 year) and medium term (2-3 years) to assess the developments of the HR to this time horizon. This phase is technical; it mobilizes the statistical services and relies on the performance of the HR (HRMIS...) data management tools.



### STEP 3: Determine the strategic target

This is to determine the needs in the form of specific jobs, staffing and skills, starting by analyzing the progress of the missions and their execution conditions (context), taking into account the policy orientations, the needs expressed by the employers and the obligations related to the general policies. This phase is very strategic, because it aims to translate the government orientations into the "HR" language.

***Steps 2 and 3 are not chronological, they can be conducted concurrently.***



## STEP 4: diagnose and analyses the gaps

This is about studying the impact of the evolution of the resources available and predictable organizational changes (strategic focus), to establish, quantitatively and qualitatively, the balance between needs and available HR on the horizon chosen (1, 2 and 3 years). Prior to the decision-making process, it is advisable that this phase be shared with the trade unions.



## STEP 5: Develop, monitor and evaluate the human resources action plan

Based on the decision support scenarios, this is about defining the elements of the HR action plan to be implemented so that the HR "projected" and the needs of the strategic target are adjusted. This plan must be coordinated with the social partners. The plan will be the subject of an implementation and follow-up process by the competent services, based on their specific area of competence, as well as an annual review by the responsible MHR before each annual recalculation cycle exercise of GPEEC/MHR.

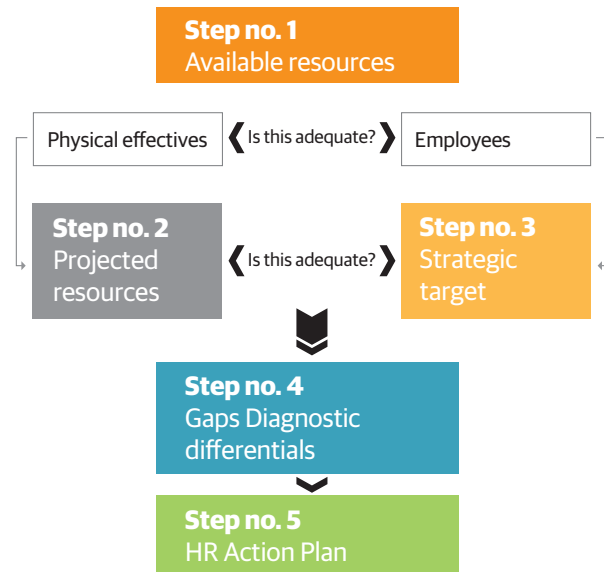
### Example:

Analysis axis	Annex I: HR impact study
Quantitate Qualitative Geographical Structural	

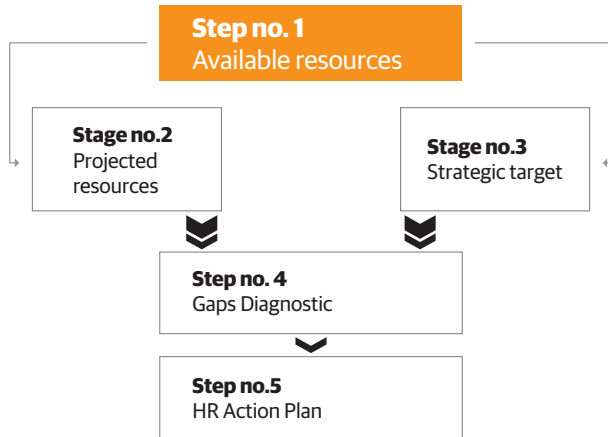
	The HR impact study must be carried out for each new service, new regional directorate or new public institution created during the territorial reform. It is jointly established by the services called to regroup in a new entity until October 31, 2013, and addressed to this date by the prefect of the targeted region to the Secretary general of the Department concerned. This study will be presented for information to the public bodies concerned (technical committees and committees of hygiene and safety, as well as proximity working conditions) parallel to the review of draft texts related to the new territorial organization.
<b>Step 3:</b> Strategic target	<b>The description of the organizational changes</b> On the basis of the macro-organigrams, and in order to build the micro-organigrams, a description of the organizational changes must allow, for each new entity, to detail the proposed changes: new distribution of missions between services, change of location, shared functions, creation of areas of expertise, etc. This review seeks to place in the most accurate way possible all of the work posts of the services concerned by the reform in order to get a clear vision of the new map of the services in the region: organizational structure, missions, locations, jobs.

<b>Step 1:</b> Available resources	<b>The determination of the impact of these organizational changes on staffing, jobs and skills.</b> The impact study will present a map of the effectives, jobs and skills of the services called upon to regroup, including the distribution of physical staff by age, rank, functional area, etc.
<b>Step 4:</b> Gaps analysis	Regarding the macro-organigrams and, where appropriate, on the basis of the first interviews which will be conducted with officers affected by the reform, the impact study will determine the number of agents likely to achieve a geographic and/or functional mobility, by identifying to the extent possible origin and host administrations, as well as individual and collective support needs, and taking into account the problem of professional equality. It will finally identify critical skills or in tension under the proposed organizational changes.
<b>Step 5:</b> HR Action Plan	<b>The determination of the impact of these organizational changes on the working conditions or the health and safety at work.</b> The HR impact study will also assess the impact of the organizational changes on the organization of the work or working conditions (increased travel, use the remote site work and/or telework under

	the conditions foreseen by the Decree draft regarding the modalities of implementation of telework in the public service, development of remote management, use of information and communication technologies etc.) and identify the consequences for health or safety at work.
	<b>The terms of transition from the current situation to the target organization.</b>



**For each of these steps, the tables below describe the actions that should be performed at minimum.**



Step 1: Identify available resources		
Action	Description	Observations
n° 1	Take a picture of the available human resources, both in terms of quantity (physical staff *) and quality	Underperforming decision-making systems fail to consider a multi-dimensional analysis (functional area, job-reference, job-type, skills and qualifications, categories, body, grades), of the existing HR and opt for an analysis made only in statutory terms (categories/body/grades).

n° 1bis	Geographic, and by structure, distribution of the available HR	The geographical and by type of structure distribution are important to characterize the action of the State and its impact on the management of the employees. Underline (make apparent) this setting by completing the table of data of the action n° 1.
n° 2	Take a picture of the approved staffing (jobs), both in quantitative (ETPT*) and quality terms	The allocation of active jobs is available through the documents and budget information systems. This quantitative approach must be accompanied by a more qualitative approach, which requires to question employers about the skills required for the jobs to be filled. A first comparative analysis can be done at this point, by measuring the adequacy of the HR available for the jobs authorized, which may reveal existing gaps in quantitative terms (understaffing or over-staffing) or qualitative (skills or trades in missing or insufficiently developed...)

n° 2bis	Geographic, and by structure, distribution of authorized employment	As the case with the HR available photography, it is advisable to complete the picture of action no. 2 with the geographical distribution, and type of structure, of the authorized jobs. This data will allow the refinement of the analysis regarding the adequacy of the resources available to the authorized jobs, by comparing geographical situations.
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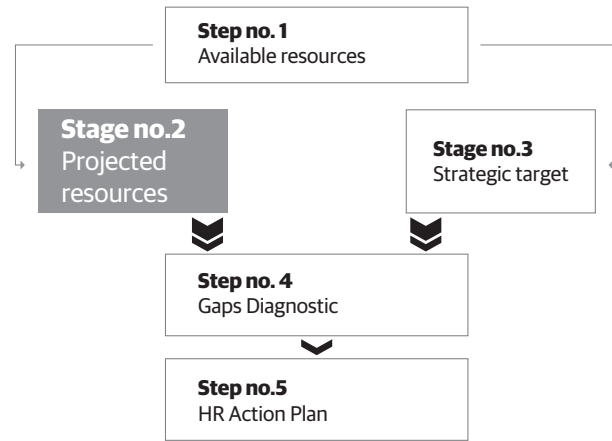
**\* Physical effectives:** number of 'real' people on a given date, regardless of the proportion of working time.

**Full-time equivalent employment (FTE):** Adjusts the physical number of employees working partial or incomplete time, thus measuring the work capacity at a certain moment in time.

**ETP= physical effectives x working units**

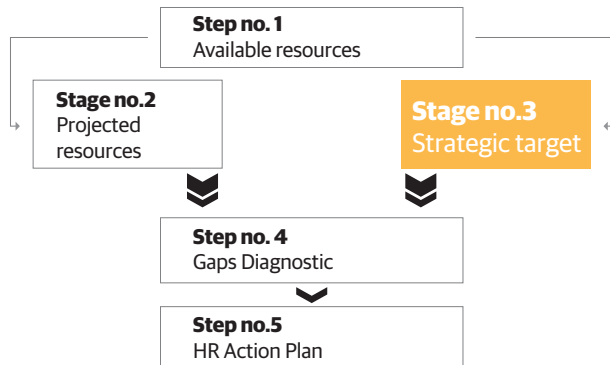
**Full time work equivalents (ETPT):** corrects the ETP with the effect of the period of activity in the year and the proportion of working time (without taking into account the fraction of compensation), measures the volume of work actually available throughout the year.

**ETPT = Physical effectives X work time proportion x period of activity in the year**



Step 2: project resources on short and medium term		
Action	Description	Observations
n° 1	Projection of retirements for all reasons (retirement, resignations, competition, detachments, availability).	Without efficient decision-making systems, this measure is established in statutory terms based on departures for all reasons (pensions, resignations, competition, detachments, availability) and a promotion rate = 0.

<b>n° 2</b>	Projection of inflows	It is about not to considering the inflows 'imposed' (detachment returns, put at disposal, availability, parental leave...) for which the HRD has no margin for action.
<b>n° 3</b>	Consolidation of a State of the resources available at n + 1, + 2, + 3	This consolidation contributes to the existing workforce flows balance, inbound and outbound, projected, movement of personnel at the initiative of the administration (recruitments and promotions).
<b>n° 3bis</b>	Geographic distribution, and by structure, of the HR available at n + 1 hour, + 2, + 3	This geographic distribution, and by type of structure, is presented by supplementing the State of resources of action no. 3



<b>Step 3: determine the strategic target</b>		
<b>Action</b>	<b>Description</b>	<b>Observations</b>
<b>n° 1</b>	Acknowledging the policy directions (missions), organizational and budgetary policies of the Department	The ministerial strategic scheme of the human resources and its geographic variation by service, as well as the multi-annual and annual budget documents provide precise details on these policy guidelines.
<b>n° 2</b>	Collect from staff employers their quantitative and qualitative HR needs	Employers communicate to the human resources departments their needs in terms of staffing, skills...at the end of an operational process managed by GPRH (cf. 4/1)
<b>n° 3</b>	Consider the obligations related to HR general policies (diversity, equality, disability...)	This corresponds to the regulation of the HRD function (cf. fiche 4/1).
<b>n° 4</b>	Identify jobs needs taking into account the guidelines (action no. 1), the expression of the needs of employers (action n° 2) and obligations related to the general policies (action n° 3)	Human resources Directorate? Identifies the needs (using the trade nomenclature) which usually do not cover the entire demand of employers; its role of regulator requires it to take into account the guidelines, constraints or obligations.

<b>n° 5</b>	Translate the identification of jobs needs in statutory language (body/categories/ranks).	This step allows the translation of a jobs-skills need in statutory language (1 ETPT in program x = 1 or 2 physical agents of category A, B or C of the body x or y in the rank of x or y).
<b>n° 5bis</b>	Geographic, and by structure, distribution of jobs needs.	This distribution takes place, if any, under projects of reorganization of central services, trades directions and/or decentralized services considered in the definition of the strategic target.
<b>n° 6</b>	Measure the budgetary sustainability of scenarios to identify needs.	HRD measures, from the average costs per grade, the sustainability of its scenarios by validating and correcting the variables of the scenario. Several scenarios can be advanced.
<b>n° 7</b>	Strategic target validation.	To simplify the GPRH plan, it is advisable to validate a single strategic target.



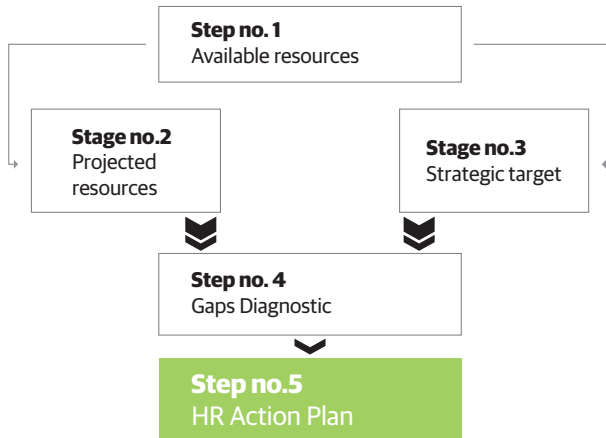
### Step 4: diagnosis and analysis of gaps

Action	Description	Observations
<b>n° 1</b>	Establish, quantitatively and qualitatively, the balance between future needs and the HR available on a certain time horizon chosen (1, 2 and 3 years).	In the form of a gaps table of with values expressed in statutory language.
<b>n° 2</b>	Clear the strong trends: quantitative as over or understaffed for some trades, or qualitative related to the changes of jobs...	This allows highlighting the issues especially in terms of skills (rare, critical, geographical disparities...)



n° 3	Specify the number of agents concerned by a mobility tendency (functional and/or geographical) and their breakdown in statutory terms (category, body and grade).	This question will be addressed in the human resources action plan based on the significance of the number of agents involved.  This will be the object of an analysis and summary in the form of an HR impact study.
n° 4	Consultation with the social partners.	It is important to share the diagnosis.

**IMPORTANT**  
*Between the diagnosis of gaps and the HR action plan, scenarios to support the decision-making must be developed involving the use of simulations to weigh the advantages and disadvantages of each of them.*



## Step 5: develop, monitor and evaluate the human resources action plan

Action	Description	Observations
The HR Manager is developing the plan, combining different actions (No. 1 to 10 below):		
n° 1	Social Dialogue	Ensure the quality of social dialogue in the implementation phase of the action plan.
n° 2	Organization and functioning of services	Acting on the Organization of services may be the way to adapt the HR to the needs of the services.
n° 3	Mobility internal/external	Mobility is a lever to respond to the needs of the services. As part of a civil service career, it requires the setting of rules aiming to maintain the skills and adapted to the territorial issues as well as providing a personalized assistance to the civil servants (CMC).
n° 4	Initial and continuous training	As part of a civil service career, training is a lever for the permanent adaptation of the skills of workers to jobs and support for mobility
n° 5	Remuneration	The variable "compensation" (treatment, allowances, fringe benefits) can be used to recognize the performance or the efforts related to mobility or the occupation of certain jobs.

n° 6	Advancement/ promotion	(Level, grade) advancement and promotion are HR tools of recognition of performance and skills of officers as well as the construction of diversified career paths.
n° 7	Work conditions	Working conditions determine quite substantially the attractiveness of a ministry, department and/ or some jobs.
n° 8	Recruitment	The recruitment in the strict sense (open competition or recruitment of contractual agents...) is the last adjustment variable of the action plan.
n° 9	Social action	The benefits of social action (housing, childcare, employment of the spouse...) contribute to the attractiveness of jobs and support for mobility.
n° 10	Individual evaluation	The assessment of individual skills and potential allows to adjust skills to the needs of the services and to accompany professional careers (annual professional interview with the direct supervisor, interviews with the career-CMC Mobility Advisor).

Each trade service **implements the actions** (No. 1-10) of which it is responsible, issues and maintains quantitative and qualitative **monitoring tables**, and produces an **annual assessment** of their achievement.

At the end or beginning of the exercise, the **management review**<sup>1</sup> is organized.

The head of the GPRH is based on these refunds and instructions from the management review to make **the annual adjustment of the GPRH plan** (reference to steps 1 through 4).

### **<sup>1</sup> management review**

*"The management review is a scheduled meeting that takes place within an organization to take stock of its management system. This review is a requirement of many management norms such as ISO 9001 standards.*

*The management review is a process that allows a factual analysis of the past, in order to redefine an action plan, reaffirm its commitment in the management system and free up resources for the next cycle."*

The management review takes place at least once a year. The management review participants are:

- Permanent members (the Management Committee, the Executive Committee...),
- Guests according to the order of the day.

Its role is to:

- Make the overall assessment of the GPRH plan of the last year; *"are the results matching the ambition that we originally had?"*
- Arbitrate and decide actions that took place, those to follow-n and new actions to be taken.

It is recommended to apply the "**ADA**" method:

- Overall analysis: has the overall ambition of the GPRH plan been reached?
- Decide: Decide on objectives and actions in the GPRH plan of year n + 1
- Act: formalize the GPRH plan and implement actions.

**Following this method** (steps n° 1 to 5) :

- requires a **project type work** (cf. fiche n° 4-2).
- Mobilizes **specific skills** (statisticians, demographers, sociologists, computer scientists-analysts, career mobility advisors...).
- **involves all stakeholders** in the structure: direction, executives, agents and representatives of personnel (fiches No. 4-2).
- requires reliable quantitative and qualitative **information** and high-performance tools (fiches No. 3-1 to 3-3).

### ***IMPORTANT***

If the approach of GPRH, because of its strategic dimension, is developing into a multi-year dimension, it requires annual adjustments related, on one hand, to the possible evolutions of the **strategic priorities of HR policy** or the methods of managing the agents, on the other hand, **the corrections necessary to the assumptions** initially forecasted. These adjustments are the guaranties of a good link between the action plans proposed at the beginning of the GPRH process and the annual operations of administrative management of the agents.

## Chapter Three: Recruitment

### 3.1. Context

It is arguably in the field of recruitment that Law No. 152/2013 "On Civil Servant" has brought about the most radical transformation in the principles and procedures governing Civil Service management.

Recruitment is indeed the primary and most important operation where the overall aim and ambition of the Law, namely of "establishing a stable and professional civil service, based on merits, moral integrity, political neutrality and accountability" must find their concrete application.

The main tool selected by the Legislator to enforce the above-mentioned principles is the open competition, which becomes the rule to fill all Civil Service positions.

It is important that the generalization of open competition be managed in a way that, while enforcing the highest level of neutrality, transparency and equal treatment of all candidates, also guarantees the efficiency of the recruitment process; this means notably that the procedures should lead as much as possible to the selection of the most able applicants, and also, would not result in undue delays in the filling of the vacant positions.

To achieve all three results implies the setting up of tight and well thought-out procedures at all stages of the recruitment cycle, and a smooth cooperation between all actors of the process.

The present chapter will deal with the basic tasks of which the recruitment process is comprised, that following tasks and for each of them provide the relevant legal references, spell out what is expected of the different actors, and supply whenever possible the specific tools that have been developed for the performance of the task.

### 3.2. The general legal framework

The recruitment processes have benefited from increased attention of the main public institutions; thus, several legislative acts are setting up the standards and the detailed rules for the proper implementation of it:

- Law No. 152/2013 "On the civil servant" as amended, art. 18; chapter IV, V and VI.
- DoCM no° 108/ 2014 "On the annual recruitment plan to civil service".
- DoCM no. 243/2015 "On admission, lateral transfer, probation period and appointment to the executive level".
- DoCM no. 242/2015 "On filling the vacancies in low and middle management level".
- DoCM no.118/2014 "On the procedures of the appointment, recruitment, management and termination of civil service relations of the top-level management civil servants and members of the TMC, with amendments".
- Guideline no. 2 dated 27.03/2015 per on the process of filling vacancies in civil service through lateral transfer, promotion for medium and low management level and recruitment in the civil service in the executive category through open competition.
- Guideline no. 6/2014 as amended on the process of recruitment and appointment of civil servants of top management level, members of the TMC .

### 3.3. The description of the main processes

For the purpose of the handbook, the concept of « Recruitment » is taken in the wider sense, meaning that it includes not only the recruitment « *stricto sensu* », as covered by *Chapter IV "Recruitment"* of the Law "On the Civil Servant", but also the provisions included in *Chapter V "Lateral transfer and promotion"*, as well as most of the articles of Chapter VI "*Top Management Corps*" that concern the selection and appointment of TMC members.

This comprehensive vision is justified by the fact that the operations of lateral transfer, promotion and recruitment are part of the same general process, applying similar competition procedures. Moreover, the amendments introduced to article 25 and 26 by the Law n° 178/2014 adopted on December 18, 2014 have resulted in blurring the distinction between recruitment and lateral transfer or promotion, by introducing the possibility, by decision of the Council of Ministers of allowing external candidates to compete for a limited number of certain positions in the low- and middle management categories.

The recruitment process is one of the most complex parts of the management of the civil service and the public administration reform. Thus, new approaches and new rules have been established for all the stages and for all the actors involved in the recruitment procedures.

Therefore, a special attention should be given to each main stage and to provide practical tools for the public institutions to be prepared for a proper implementation.

Giving the complexity of the recruitment process, **this subchapter will be structured as follows:**

#### **The principles and general overview of the procedures for filling vacancies and recruiting in the civil service**

- Governing principles of the recruitment procedures in the civil service
- General requirements to enter the civil service

- Basic principles in the organization of lateral transfers, promotions and recruitment
- Transparency
- Collegiality of selection decision
- The right to protest

#### **The description of the main procedural steps**

- Preparing the annual recruitment plan
- Filling vacancies by lateral transfer at entry level
- The recruitment at entry level
- Lateral transfer and promotion for low and middle level management
- Recruiting at top management level

### 3.4. The principles and general overview of the procedures for filling vacancies and recruiting in the civil service

#### 3.4.1. The governing principles of the recruitment procedures in the civil service

- Equal opportunities
- Merit
- Professional capacity
- Non-discrimination
- Transparent and fair selection procedure

#### 3.4.2. General requirements to enter the civil service

- a) Albanian citizenship
- b) Full legal capacity to act,
- c) Proficiency in the Albanian language, written and speaking;

- c) Appropriate health condition to carry out the respective duties;
- d) A clean criminal record whereby the aspirant has not been sentenced by a final court decision for a crime or for a criminal contravention committed by intention;
- dh) Not having been dismissed from the civil service as a disciplinary sanction which has not been deleted in accordance with this law;
- e) Fulfilment of the specific criteria related to education, experience and others for the respective category, class, group and position.

### 3.4.3. Basic principles in the organization of lateral transfers, promotions and recruitment

The system put in place by the Civil Service Law is founded on **three basic principles**.

Recruitment at entry level	Priority rules to fill vacant positions	Open competitions, properly advertised and collegially evaluated
<p><b>Recruitment is possible at entry level only</b>  <b>Exceptions:</b>  <i>(i) The possibility of allowing external candidates to compete for a limited number of certain positions in the low- and middle management categories</i>  <i>(ii) The competitions to access the Top Management Corps, which are open to external candidates.</i></p>	<ol style="list-style-type: none"> <li>1. Vacant positions must be offered in the <i>first place to civil servants of the same category (lateral transfer),</i></li> <li>2. Then to civil servants of the category immediately inferior (<i>promotion</i>).</li> </ol>	<p><i>Open competitions are compulsory for all lateral transfers and promotions as well as recruitment.</i></p>

### 3.4.4 Transparency

#### • **Impartiality of the processes / disclosure obligation**

Persons involved at all levels of management of the process of testing candidates for civil service, shall declare in writing that they are not in a conflict of interest position, with any of the participants or candidates in the process and that they do not have any family or friendship relation with them.

#### • **Electronic advertisement of Civil Service vacancies**

The advertisement of Civil Service vacancies is ensured by the simultaneous posting on several websites:

- National employment website operated by the National Employment Service
- The Official portal of the DoPA, for State administration institutions
- The websites of the Institutions where the vacancies occur.

### 3.4.5. Collegiality of selection decision

#### The Evaluation Panels

As per the Collegiality Principle, all competitions are evaluated by Committees / Commissions of various composition and level, as shown in the Table below:

Procedure	Name of Panel	Established by	Composition	Nature
Lateral transfer in executive category	Internal Committee	Highest ranking civil servant in Institution	<b>3 Members</b> <ul style="list-style-type: none"> <li>• Representative from the HR unit of the institution</li> <li>• Direct superior;</li> <li>• DoPA representative *</li> </ul>	Established case by case
Recruitment at entry level	Standing Admission Committee	The responsible Unit (DoPA)	<b>5 Members</b> <ul style="list-style-type: none"> <li>• 1 member from the</li> <li>• Responsible unit (chairperson)</li> <li>• 2 members among the civil servants of the middle-management level designated by DoPA**</li> <li>• 2 experts of the relevant field</li> </ul>	Permanent Renewed each year
Lateral transfer in low- and middle-management category	Lateral Transfer Admission Committee	The responsible Unit (DoPA)	<b>3 Members</b> <ul style="list-style-type: none"> <li>• 1 representative from the institution having the vacancy, at least of the same level with that of the vacancy position, appointed by DoPA;</li> <li>• Direct superior;</li> <li>• 1 representative from DoPA*,</li> </ul>	Established case by case

Procedure	Name of Panel	Established by	Composition	Nature
Promotion in low- and middle- management category	Promotion Admission Committee	The responsible Unit (DoPA)	<b>5 Members</b> <ul style="list-style-type: none"> <li>• 1 member from the responsible unit (DoPA); he/she shall chair the committee;</li> <li>• 1 civil servant from the institution;</li> <li>• Direct supervisor of the position for which the competition is organised.</li> <li>• 2 experts of the relevant field, depending on the field of evaluation.</li> </ul>	Established case by case
TMC Members	National Selection Committee of the TMC	Council of Ministers	<ul style="list-style-type: none"> <li>• A representative from DoPA, Chairperson;</li> <li>• Two representatives from ASPA, of which one is not an ASPA employee;</li> <li>• One representative of TMC;</li> <li>• Five independent personalities of recognized professional experience and integrity, appointed by the Council of Ministers.</li> </ul>	Permanent Renewed each year

*\* In the case of independent institutions and local government units, the third member shall be appointed by the Head of the Institution among the civil servants of that institution.*

*DoPA may authorize other civil servants from other institutions to perform the duties of DoPA representative to the Lateral Transfer Admission Committee. Appointment shall follow communication with the institution where the civil servant works at. The institution and the civil servant shall cooperate with DoPA.*

*\*\* In the case of independent institutions and local government units, 2 (two) members who shall be selected by the head of the institution from among the civil servants of the institution, possibly from among the civil servants of the middle-level management;*

*\*\*\* In the case of State administration institutions, 1 (one) member from the institution having the vacancy, who is a member of the middle-level management and is designated by DoPA; in the case of independent institutions and local government units, 1 (one) member who shall be selected by the head of the institution from among the civil servants of the institution, possibly from among the civil servants of the middle-level management;*



### 3.4.6. The right to contest

Administrative decisions made in relation with lateral transfers, promotions and recruitment can be contested, both by filing a complaint with the authority responsible for the decision, and by initiating a legal action with the Administrative Court.

The CSL Law and the bylaws regulating the various procedures take great care to specify, at every stage, the delay that is allowed validly to lodge a complaint with administrative authorities, and the delay within which the authorities are obliged to respond.

From the point of view of good administration, the great advantage of such so-called “amicable recourse” is that, in case a mistake has been made, it provides an opportunity to correct it almost immediately and at minimum cost, whereas, if the faulty decision is later annulled by a Court, often months or even years later, it will be very problematic to redress the situation that will have been created.

**For this reason, it is highly recommended that responsible units and evaluation committees do not reject out of hand the complaints that they receive, but examine them seriously, consult the legal department of DoPA in case of doubt, and do not hesitate to support them if they appear to be well founded.**

## 3.5. The Description of the Main Procedural Steps

### 3.5.1. Preparing the annual recruitment plan

• **Step 1 (on-going throughout the year): HRM units in Ministries and Institutions** update from all available sources the information on factors that may impact the future vacancies in their institutions. This information is compiled in order to provide:

- The necessary data to compile the staffing plan of the institution
- The necessary data to plan the vacancies and prepare the vacancy announcement

The necessary data to compile the staffing plan of the institution	How?
<ul style="list-style-type: none"><li>• Number of vacancies, for which competition should be announced for each category and class;</li><li>• General number of TMC members to be recruited during the year;</li><li>• Groups of general and special administration;</li></ul>	<p>The HRM Units of all institutions keep a log of the status of all the job positions they have to administer, indicating whether the position is occupied, temporarily vacant or vacant.</p> <p>The log is updated continuously, using the personal files of the civil servants and all relevant information coming from the units.</p> <p>Whenever available, it contains the date the holder of an occupied position is expected to leave, and the date the holder of a temporarily vacant position is expected to come back.</p>

The necessary data to plan the vacancies and prepare the vacancy announcement	How?
<ul style="list-style-type: none"> <li>• The title of the vacant position;</li> <li>• The sector/department/directorate of the vacant position;</li> <li>• The general job description of the vacant position;</li> <li>• The scope and the tasks of the job;</li> <li>• The selection criteria (education, qualifications, seniority, other specific requirements related to the job).</li> </ul>	<p>The database of job position that is maintained by all HRM units contains all the necessary information.</p> <p>This information concerning the description of the position is to be obtained from the specific job description of the position, and the generic job description for the group of positions to which it pertains.</p> <p>It is recommended that HRM Units take the opportunity of the yearly preparation of the staffing plan to update if necessary the job descriptions for vacant positions.</p>

**Step 2 (beginning of September): DoPA** asks the State administrations to communicate the list of vacancies to be opened for the recruitment in the next year.

**Step 3: The HRM units in the Ministries, Independent Institutions, and Local Governments:**

- Consolidate the data provided by their components (Directorates and subordinated institutions in the case of Ministries);
- Analyse the institutional needs, plan the vacancies and submit the proposal to DoPA by mid-November. In the case of the independent institutions and local governments, the data is managed by themselves, directly. The proposal submitted by the public institutions should include the following data:
- Positions planned to be filled in the upcoming year, for each category
- Date of creation for the vacancy position
- Reason of creation for the vacancy position

- General job description and main tasks of the position
- Special criteria for the position (education, experience, training and all other special requirements)
- Before end October, transmit to DoPA the data for preparing the National Staffing Plan
- Before end November, transmit to DoPA the additional data related to the vacancy announcements

**Step 4: DoPA** prepares the annual recruitment Plan (only for State administration institutions):

- Gathering the data sent by the State administration institutions.
- Analysing the data and requesting clarifications and complements as needed.
- Regrouping the similar vacant positions for the preparation of collective vacancy announcements.
- Developing the annual recruitment plan, and preparing the draft decision of the Council of Ministers by mid-December.
- In the draft- decision of the Council of Ministers on the approval of the annual admission plan that is drafted by DoPA, includes:
- Total number of vacant positions planned for each category
- Groups of general and special administration;
- Institutions where vacancies are planned.

**Step 5: Approval of the Staffing Plan by the Council of Ministers**

- The proposal for the annual recruitment plan and draft decision is submitted to the Council of Ministers by DoPA before the end of December.
- The Council of Ministers adopts the Plan no later than the end of February

### 3.5.2. Filling vacancies by lateral transfer at entry level

#### ■ Step 1 Vacancy publication <sup>11</sup>:

- **Who?** DoPA or HRM for other civil service institutions – based on the approved planning - announce the vacancy;
- **Where?** – the announce is published on DoPAs website and on the National Employment Services website;
- **When?** The candidates have to submit the application and documents within 10 days from the official publication of the announcement.

#### ■ Step 2 Preliminary verifications:

**The HRM Unit of the institution where the vacancy occurs:**

1. *Verifies that the candidates meet the conditions for lateral transfer and the specific requirements (which are defined in the competition notice).*
2. *Prepares the list of qualified candidates, ranked in alphabetical order, no later than 2 calendar days from the deadline for submission of documents.*
3. *Presents the list for validation to the highest-ranking civil servant of the institution or the one with authority over the institution having the vacancy.*
4. *Transmits the list to DoPA.*

5. *Publishes the list on the website of the institution.*

6. *Notifies individually each candidate who does not qualify of the reason for their disqualification, on the same day of the publication of the list of qualified candidates.*

**DoPA:**

*Publishes the list on the website of the Department of Public Administration and in the "National Employment Service" portal.*

The announcement shall remain posted on the portal until completion of procedure.

<sup>11</sup> See the examples of the vacancy announcement in the subchapter **useful management tools and documents**.

<sup>12</sup> See the evaluation grid for the documents of the candidates in the subchapter **useful management tools and documents**.

### • Step 3 - Evaluation of the Candidates

No.	The responsible body	The description of the action	Important note
1.	The highest-ranking civil servant of the institution.	initiates the establishment of the Internal Committee.	<i>Within 2 calendar days of the completion of the preliminary verification procedure.</i>
2.	The Internal Committee	<ul style="list-style-type: none"> <li>• meeting to organize its work;</li> <li>• evaluate and score the documents of candidates;</li> <li>• prepare the questions for oral interview.</li> </ul>	<i>The content of the questions of oral interview is related to the knowledge, skills, competencies required for the job position, experience, motivation, career aspirations and expectations.<sup>13</sup></i>
3.	The Internal Committee	holds the oral interviews of the candidates	
4.	The Internal Committee	<b>Each member of Committee</b> has evaluated the documents of the candidates and makes the evaluation of candidates during the oral interview individually, by giving the respective scores.	<i>It is recommended that the members of the Internal Commission discuss regarding the scores before they give the result. Points for the documents submitted and for the oral interview, shall be added up. The candidate who receives 70 points or less shall not be considered successful.</i>
5.	The Internal Committee	Makes its decision according to the final result	<p>The candidate, <b>who ranks first with maximum points</b>, is selected to be appointed in the vacancy.</p> <p>If only one candidate participates in the lateral transfer procedure and <b>receives more than 70 points</b>, then the candidate shall be appointed to the vacancy.</p> <p><b>If there is no winner</b>, then the Commission shall conclude the procedure, without any selectee and the institution shall send to DoPA a <b>request for admission to the civil service through open competition, within 24 (twenty-four) hours from the acceptance of the decision from the commission.</b></p>
6.	The Internal Committee	finalizes the evaluation report	<i>Based on the situations mentioned above.</i>

<sup>13</sup> See the type of questions for the oral interview.

### 3.5.3. The recruitment at entry level

#### The actors involved in the selection procedure are:

- The “Responsible Unit”, meaning DoPA for State administrations or, the HRM Unit for independent institutions and local governments.
- The Standing Admission Committee (SAC).

#### • Phase 1 Announcement of the admission procedure (DoPA/ responsible unit)

<b>DoPA announces the admission procedure</b>	<ul style="list-style-type: none"> <li>• No later than one month after the adoption of the admission plan/ when a new procedure is necessary;</li> <li>• Based on annual admission plan.</li> </ul>
<b>The announcement is published</b>	<ul style="list-style-type: none"> <li>• At least 35 calendar days before the designated date of the competition;</li> <li>• Publication of the admission procedure for each group of positions recruited posted on the “National Employment Service” (NES) Portal for the entire procedure.</li> </ul>
<b>Submission of the candidacy</b>	<ul style="list-style-type: none"> <li>• requested documents: submission in maximum 15 calendar days from the day of the announcement;</li> <li>• the requested documents: online - DoPA website (online registration procedures).</li> </ul>

#### • Phase 2 Preliminary verifications (DoPA /responsible unit) – no later than 10 calendar days from the closing date of the submission

<b>DoPA checks the eligibility of the candidates</b>	<ul style="list-style-type: none"> <li>• Documents sent by the candidates vs. the requirements sets in the competition notice.</li> </ul>
<b>DoPA ranks the candidates</b>	<ul style="list-style-type: none"> <li>• The disqualified candidates will be individually notified indicating what requirements have failed to be met;</li> <li>• 5 calendar day for complaints;</li> <li>• The decision is judged/made based on the complaint or additional proofs.</li> </ul>
<b>DoPA prepares the alphabetical list with the qualified candidates</b>	<ul style="list-style-type: none"> <li>• The list is published on DoPAs and NES Portal</li> </ul>

#### • Phase 3 Evaluation of the candidates (Standing Admission Committee)

*The candidate's evaluation is the total of three independent ratings, as follows:*

- |   |                      |
|---|----------------------|
| 1. CV, including education, work experience and relevant training | <b>Max 15 points</b> |
| 2. Written evaluation   | <b>Max 60 points</b> |
| 3. Structured oral interview                                      | <b>Max 25 points</b> |

**TOTAL**

**Max 100 points**

## Step 1

### Written examination

<b>Written examination</b>	<ul style="list-style-type: none"><li>• SAC - selects the questions and decide the duration of the exam (24 h before);</li><li>• <b>Questions:</b> developed by the SAC members or from DoPA bank of question;</li><li>• <b>Questions:</b> multiple-choice questions, case studies, open-ended questions and essays.</li></ul>
<b>Conducting the test</b>	<ul style="list-style-type: none"><li>• SAC Chairperson (DoPA representative): responsible for the orderly conduct of the test</li><li>• The enforcement of the rules designed;</li><li>• Ensure the anonymity of the candidates and prevent cheating.</li></ul>
<b>Rating the test</b>	<ul style="list-style-type: none"><li>• Each Committee member rates every question separately;</li><li>• The marks are then averaged (totalled and divided by 5);</li><li>• Only candidates having scored more than 30 (meaning more than 50% of the points assigned to the written test) shall be invited to participate in the oral interviews.</li></ul>

### Scheduling

- Oral interview can be arranged for one or several days according to the number of candidates;
- It begins no later than 3 calendar days after the end of correction of the written evaluation and publication of the list of candidates who are selected to continue;
- SAC shall notify the date and time of the structured oral interview on the DoPA's website.

### Preliminary meeting

- SAC holds a first meeting to organize its work, evaluate and score the documents of candidates and prepare the oral interviews (discuss the preparation and weighting of the questions to be put to the candidates);

**• The content of the questions of oral interview is related to the knowledge, skills, competencies required for the job position, experience, motivation, career aspirations and expectations.**

### Conducting the oral interviews

- The members of SAC will introduce themselves;
- The Chairperson shall explain how the interview will be organized;
- Candidates shall be informed that the interview will be audio recorded, and sign a statement on accepting or refusing the audio recording ;( please note that there are specific provisions for the refusal cases).

### **Evaluating the oral interviews**

- Each of the members of the SAC shall evaluate each question with points;
- Each point of evaluation of answers of the oral interview shall be explained (please note that the specific forms are required <sup>14</sup>);
- The ratings of each member are then averaged (total divided by 5).

### **Step 3**

#### **SAC reporting and final ranking.**

### **Preparation of the evaluation documents**

- At the end of the interviews, the SAC calculates the total score of the candidates (the sum of the points attributed to the candidates for their CV's and experience, written test and structured oral interview);
- Prepare the evaluation report, the provisional winners list, and the list of the candidates that did not qualify;
- These documents are transmitted to the responsible unit.

### **Evaluation report**

- A specific predetermined report is prepared and signed.<sup>15</sup>

### **Provisional winner list**

- SAC prepares a provisional list of winning candidates, ranked in decreasing order of the number of points they received;
- Candidates must obtain over 70 points to qualify for this list;
- Specific rules exist for equality between the candidates.<sup>16</sup>

### **List of non-qualifying candidate**

- Candidates who obtain less than 70 points (70% of points) shall be ranked in a special list that is not made public;
- The results shall be notified individually by the responsible unit;
- In case no candidate gets more than 70% points (70% of points), the Committee shall close the evaluation procedure with no winner selected;
- The responsible unit shall notify closure of the competition without winners on the "National Employment Service" portal.

### **Publication**

- The provisional list is transmitted to the responsible unit for publication within 24 (twenty-four) hours of its compilation;
- For State administration institutions, the winners list shall be published on DoPA's official website and the "National Employment Service" portal;
- For independent institutions and local government units, the winner's list shall be published on the "National Employment Service" Portal, their official websites and their public information billboards, if any.

<sup>14</sup> <http://www.dap.gov.al/legjislacioni/udhezime-manuale/54-udhezim-nr-2-date-27-03-2015>

<sup>15</sup> <http://www.dap.gov.al/legjislacioni/udhezime-manuale/54-udhezim-nr-2-date-27-03-2015>– see the template

<sup>16</sup> <http://www.dap.gov.al/legjislacioni/udhezime-manuale/54-udhezim-nr-2-date-27-03-2015>– see the conditions for equality in the number of points

## Step 4

### Publication of the final winner list

Candidates have the right to file written complaints with SAC against the winner list within 5 (five) calendar days of receiving the individual notice. SAC is obliged to answer in writing within 5 (five) calendar days from the termination of deadline for filing complaints.

Upon termination of this 10 days delay, SAC either confirms the provisional winner list, or transmits a modified list to the responsible unit for publication.

In both cases, it will also transmit a copy of the full complaint file (all complaints received, and the answers that have been made by the SAC).

### 3.5.4. Lateral transfer and promotion for low and middle level management

**1. Vacancies in the low and middle management categories are filled in priority through lateral transfer within the same category.**

**2. In case the lateral transfer procedure does not succeed, a promotion procedure open to civil servants from lower categories will be initiated.**

**3. In case the Council of Ministers has decided to make use of the possibility provided by article 26 of the CSL, the promotion procedure shall also be opened to outside candidates meeting the requirements set out in the vacancy notice.**

The procedure will be organized **on the basis of the yearly recruitment plan.**

In both procedures, the responsible unit is in charge of publishing the vacancy and verifying the eligibility of the candidates.

Evaluation and selection of the candidates are performed respectively by the Lateral Transfer Admission Committees (LTAC) and by the Promotion Admission Committee (PAC).

In addition, temporary vacancies can be filled through the procedure of temporary appointment established by the Law n°178 / 2014 amending the Civil Service Law.

## THE LATERAL TRANSFER

### Step 1 - Vacancy publication

#### The Responsible Unit (DoPA)

- Announces the vacancy, both on its website and on the "National Employment Services" portal;
- The deadline for the submission of documents specified in the notice **is 10 calendar days** from the moment of the publication on the portal.

### Step 2 - Preliminary verifications:

#### The Responsible Unit:

- Verifies that the candidates meet the conditions for lateral transfer and the specific requirements (which are defined in the competition notice)
- Prepares the list of qualified candidates, ranked in alphabetical order, no later than 2 calendar days from the deadline for submission of documents
- Publishes the list on the website of the institution
- Notifies individually each candidate who does not qualify of the reason for their disqualification, on the same day of the publication of the list of qualified candidates.



**DoPA:**

- Publishes the list on the website of the Department of Public Administration and in the "National Employment Service" portal.
- The announcement shall remain posted on the portal until completion of procedure.

**Step 3 - Evaluation of the Candidates**

**The highest-ranking civil servant of the institution**

- Within 2 calendar days of the completion of the preliminary verification procedure initiates the establishment of the Internal Committee.

**For the state administrations – DoPA**

**The internal committee (LTAC)**

- Holds a first meeting to organize its work, evaluates and scores the documents of candidates and prepares the oral interviews (discuss the preparation and weighting of the questions for the candidates). **The content of the questions of oral interview is related to the knowledge, skills, competencies required for the job position to be filled, as well as the experience, motivation, career aspirations and expectations of the candidate;**
- Holds the oral interviews of the candidates;
- The Internal Committee computes the scores of the candidates. **Each member of**

**Committee** has evaluated the documents of the candidates and makes the evaluation of candidates during the oral interview individually, by giving the respective scores. Points for the documents submitted and for the oral interview shall be added up. **The candidate who receives less than 70 points shall not be considered successful;**

- Makes its decision according to the final result. The candidate, who ranks first with maximum points, is selected to be appointed in the vacancy. If only one candidate participates in the lateral transfer procedure and receives more than 70 points, then the candidate shall be appointed to the vacancy. If there is no winner, then the Commission shall conclude the procedure, without any selectee and the institution shall send to DoPA a request for admission to the civil service through open competition, within 24 (twenty four) hours from the acceptance of the decision from the commission;
- Finalizes the evaluation report. The weight of each question for the oral interview shall be included in the report of the lateral transfer procedure, along with a brief summary of the evaluation of each candidate.

## THE PROMOTION PROCEDURE

### Step 1: Publication

<b>The Responsible Unit</b>	<ul style="list-style-type: none"> <li>Announces the vacancy both, on its website and on the "National Employment Services" portal, at least 35 calendar days before the anticipated date for conducting the evaluation;</li> </ul>
<b>Where to apply? The required documents</b>	<ul style="list-style-type: none"> <li>The request for application, the standard CV and other documents provided in the promotion notice, should be sent to the Department of Public Administration only via the internet, starting with the online registration procedure, on the official website of DoPA, where the relevant instructions are found.</li> </ul>
<b>Who can apply?</b>	<ul style="list-style-type: none"> <li>Filling of vacancies through promotion procedure shall be open to any civil servant of a lower level at the same institution or other institutions of civil service.</li> </ul>
<b>When to submit the documents?</b>	<ul style="list-style-type: none"> <li>The deadline for the submission of documents specified in the notice is 15 calendar days from the moment of the publication on the portal.</li> </ul>

### Step 2: Preliminary verifications

<b>DoPA</b>	<ul style="list-style-type: none"> <li>Performs the preliminary verification of the applicants, no later than 10 (ten) days from the expiry of the deadline for closing their acceptance, in order to verify whether or not they meet the promotion requirements and special requirements specified in the advertisement.</li> </ul>
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#### What are the eligibility requirements?

- To be a confirmed civil servant within the same category for which the candidate applies;
- Not to be under any effective disciplinary measure;
- To have, at least, as the last evaluation "Good" or "Very good";
- Other conditions as stipulated in the vacancy notice;

#### The preliminary list

- The responsible unit at the end of the preliminary verification compiles a list of candidates who meet the general and specific requirements defined in the vacancy notice, ranked in alphabetical order.
- The list is published on DoPA's official website and the "National Employment Service" Portal, in the case of State administration institutions.
- In the case of independent institutions and local government units, the list is published on the "National Employment Service" Portal, official website and posted in the of the institution premises.

#### The disqualified candidates

- Candidates who fail to meet the general and special requirements set out in the vacancy notice shall be ranked in a special list indicating also where the requirements are not met. The list is administered by the responsible unit and shall not be made public. The responsible unit shall notify disqualified candidates individually.

- Disqualified candidates may file a written complaint with the responsible unit within 5 (five) calendar days from the date of individual notification. Complainant shall receive a reply within 5 (five) calendar days of filing the complaint. If necessary, the responsible unit will publish a final rectified list.

### Step 3 - Evaluation of the Candidates

**The evaluation of the candidates is comprised of the following:**

CV, including education, work experience and relevant training	<b>Max 20 points</b>
Written evaluation	<b>Max 20 points</b>
Structured oral interview	<b>Max 40 points</b>
<b>TOTAL</b>	<b>Max 100 points</b>

#### Preliminary meeting

- The selection committee shall gather 24 hours before the day of the written evaluation and choose the questions.

#### Written test

- The questions must concern the fields of knowledge mentioned in the vacancy notice, and may be:
  - Multiple Choice Questions (MCQ) to assess the knowledge, skills, abilities, competencies,
  - Case study / working example;
  - Open-ended questions;
  - Essays.

#### Conduct of the interview and evaluation

- The procedure is the same as in the case of lateral transfers.

#### Reporting and publication

- The list of winning candidates, a report on the recruitment and all the documentation shall be submitted to the Department of Public Administration.
- If the competition is for only one job position, the DoPA shall make the appointment of the candidate who has received most points out of the candidates listed with a minimum of 70 points.
- In the case where the competition is held for more than one position, the DoPA within 3 (three) calendar days, after the completion of the appeal proceedings, shall propose to the winning candidate /candidates, by respecting their rankings, the list of job positions.
- If the candidate does not take any decision within 3 days, then it shall be deemed that he / she has refused the proposal / proposals.

## TEMPORARY APPOINTMENT

A position at low or middle management level which is temporarily vacant can be filled through the temporary appointment of:

- a) Civil servants who left the civil service due to job cut or restructuring.
- b) Civil servants who have completed a suspension period and have neither been reinstated to their previous job position nor transferred to another one.
- c) Civil servants who have been re-instated in the Civil Service by a final court decision and are registered in the waiting list established by the new article 66-1 of the Civil Service Law.

When informed that a temporary vacancy is registered, the responsible Unit shall propose a temporary appointment to employees meeting the requirements of the position, starting with group c) above, then b), then a). Within each group, the eligible employees are contacted in diminishing order of seniority

### 3.5.5. Recruiting at top management level

#### A. Recruitment in the TMC<sup>17</sup>

The normal procedure of TMC members is the recruitment through ASPA whereby successful candidates, selected in a competition held in the usual way, are admitted to the special ASPA 6-months training program for top managers. Candidates are tested throughout the program, and those who successfully complete it are appointed in the Top Management Corps.

The Law provides for a second procedure, to be used in the beginning, as long as the training program has not yet been organized and later on in the years when there will not be enough vacancies to run the program.

In this case, candidates selected through the competition shall be

directly appointed to the TMC, according to their ranking, in the limit of vacant positions.

The competitions are organized by the responsible Unit, meaning DoPA for vacancies in the State administration.

### The National Selection Committee of the TMC (NSC) is responsible for carrying out the written and oral test as well as preparing the list of winners

#### Phase 1 Announcement of the admission procedure (DoPA)

<b>DoPA</b>	<ul style="list-style-type: none"><li>• <i>Announces the admission procedure at least 60 days before the estimated date of the competition;</i></li><li>• <i>Publication of the admission procedure for TMC vacancies is posted on the official website of the Department of Public Administration and the "National Employment Service" Portal and shall remain posted until the completion of the admission procedure;</i></li></ul>
<b>Candidates</b>	<ul style="list-style-type: none"><li>• <i>Must submit to DoPA the requested documents not later than 30 calendar days from the day of announcement on the official website of the Department of Public Administration and the National Employment Service Portal, as set out in the competition announcement.</i></li></ul>

<sup>17</sup> not to be confused with recruitment in the top level which also includes independent institutions but which are part of the TMC- top management corps

## Phase 2 Preliminary verifications (DoPA)

<b>DoPA</b>	<ul style="list-style-type: none"> <li>• Shall conduct the preliminary verification of the candidates who meet the general and specific requirements, as defined in the vacancy notice, in no later than 10 (ten) calendar days from the closing date of their submission.</li> </ul>
<b>DoPA</b>	<ul style="list-style-type: none"> <li>• Shall match the documents provided by each candidate with the requirements set out in the competition notice.</li> </ul>
<b>DoPA</b>	<ul style="list-style-type: none"> <li>• Shall prepare a list with the candidates who failed to meet all the requirements;</li> <li>• The list will indicate where these requirements have not been met.</li> <li>• Shall individually notify each disqualified candidate, indicating what requirements have failed to be met.</li> <li>• Disqualified candidates may file a written complaint with the responsible unit within 5 (five) calendar days from the date of individual notification, in line with paragraph 5 of Chapter IV of this Decision.</li> <li>• <b>DoPA</b> is obliged to reply within 5 (five) calendar days of receiving the complaint and has to explain its decision. DoPA may either reject or accept the arguments of the candidate.</li> </ul>
<b>The successful candidates</b>	<ul style="list-style-type: none"> <li>• Candidates who meet all the general and specific requirements defined in the vacancy notice are regrouped in a list arranged in alphabetical order. <b>This list is published on:</b></li> <li>- DoPA's official website and the "National Employment Service" Portal.</li> </ul>

## Phase 3 Evaluation of the candidates by the National Selection Committee of the TMC

**The candidate's evaluation is the total of three independent ratings, as follows:**

CV, including education, work experience and relevant training	<b>Max 10 points</b>
Written evaluation	<b>Max 40 points</b>
Structured oral interview	<b>Max 50 points</b>

### TOTAL

**Max 100 points**

The National Selection Committee shall draft the questions for the written test and the oral interview at least two days before the test.

### Step 1: Written test

The NSC is supported by the Planning Sector and Technical Secretariat at DoPA for the material organization of the test.

### Step 2: Oral examination and rating of the CV's and professional experience of the candidates

#### NSC holds a first meeting

- Organizes its work, evaluates and scores the documents of candidates and prepares the oral interviews;
- The content of the questions of oral interview is related to the knowledge, skills, competencies required for the job position, experience, motivation, career aspirations and expectations.
- When DoPA has established the bank of questions, the NSC shall select the questions for the structured oral interview out of this bank and may adjust them.

<b>Conducting the oral interviews</b>	<ul style="list-style-type: none"> <li>• The members of the NSC shall introduce themselves and the Chairperson shall explain how the interview will be organized;</li> <li>• Candidates shall be informed that the interview will be audio recorded, and sign a statement on accepting or refusing the audio recording.</li> </ul>
<b>Evaluating the oral interviews</b>	<ul style="list-style-type: none"> <li>• Each of the members of the NSC shall evaluate each question with points.</li> <li>• Each point of evaluation of answers of the oral interview shall be explained in the following table. The ratings of each member are then averaged.</li> </ul>

### Step 3: NSC reporting and final ranking

<b>Preparation of the evaluation documents</b>	<ul style="list-style-type: none"> <li>• Immediately after the end of the interviews, the NSC calculates the total score of the candidates (the sum of the points attributed to the candidates for their CV's and experience, written test and structured oral interview) and prepares the three following documents, which are transmitted to DoPA: <b>the evaluation report, the provisional winners list, and the list of the candidates that did not qualify.</b></li> </ul>
<b>the evaluation report</b>	<ul style="list-style-type: none"> <li>• A specific report is prepared and signed<sup>18</sup></li> </ul>
<b>the provisional winners list</b>	<ul style="list-style-type: none"> <li>• NSC prepares a provisional list of winning candidates, ranked in decreasing order of the number of points they received.</li> <li>• Candidates must total over 70 points to qualify for this list.</li> </ul>

<b>List of non-qualifying candidates</b>	<ul style="list-style-type: none"> <li>• Candidates who obtain less than 70 points (70% of questions) shall be ranked in a special list that is not made public, and shall be notified individually by DoPA.</li> <li>• In case no candidate gets more than 70 % points (70% of points), the Committee shall close the evaluation procedure with no winner selected. DoPA shall notify closure of the competition without winners on the official website of the Department of Public Administration and the "National Employment Service" portal.</li> </ul>
<b>Publication</b>	<ul style="list-style-type: none"> <li>• The provisional list is transmitted to DoPA for publication within 24 (twenty-four) hours of its compilation.</li> <li>• The winners list shall be published on DoPA's official website and the "National Employment Service" portal.</li> </ul>

### Step 4: Publication of the final winner list

<b>Right to complaints</b>	<ul style="list-style-type: none"> <li>• Candidates have the right to file written complaints with NSC against the winner list within 5 (five) calendar days of receiving the individual notice.</li> <li>• The NSC is obliged to answer in writing within 5 (five) calendar days from the termination of deadline for filing complaints.</li> </ul>
<b>The final winner list</b>	<ul style="list-style-type: none"> <li>• Upon termination of this 10 days delay, the NSC either confirms the provisional winner list, or transmits a modified list to DoPA for publication.</li> <li>• In both cases, it will also transmit a copy of the full complaint file (all complaints received, and the answers that have been made by the NSC).</li> </ul>

<sup>18</sup> the template of evaluation report is provided in Annex 5 of DoPA Guideline n°2 of 2015: <http://www.dap.gov.al/legjislacioni/udhezime-manuale/54-udhezim-nr-2-date-27-03-2015>

## PROCEDURE OF DIRECT RECRUITMENT

The use of the procedure of direct recruitment is decided by the Council of Ministers, upon proposal on the Minister in charge of the Civil Service.

The Council of Ministers may decide that the procedure is opened to candidates from outside the Civil Service.

The Council or Ministers defines the minimum requirements to qualify for entering the competition, as well as the number of recruitments.

The selection procedure is the same as in the case of recruitments through ASPA, with the difference that the winners are directly appointed to the Top Management Corps.

## Appointment to the Top Management Corps

Appointments are made by DoPA upon request from the Head of the Institution where a top management positions is to be filled.

Members of the TMC may be appointed either to a regular top-level management position, or as special coordinator. They may also be appointed to a mid-level management position in the state administration. They may also be appointed in a top-level management position in an independent institution or in a local government unit, upon expressing their desire to do so and further to receiving DoPA's approval for leaving the TMC.

The appointment procedure for the different cases is summarized in the following table.

Position	Proposal	Consent	Appointment
Top-management State administration	Head of Institution* where the vacancy exists		DoPA
Special coordinator	Head of Institution where the vacancy exists**		DoPA
Mid-level management State administration	Institution	TMC Member	DoPA
Top-level management Independent institution or local government		TMC Member DoPA	Institution

\* The Prime Minister for any regular position in the Office of the Prime Minister or in the institutions subordinate to the Prime Minister; The Minister for any regular position in the ministry or the minister's subordinate institutions.

\*\* Prime Minister, Deputy Prime Minister or the respective ministers for special coordinator positions in institutional or inter-institutional groups, or special projects that fall under their responsibility.

Admission to the civil servant top management level in independent institutions and local government units  
 Admission to the civil servant top management level in independent institutions and local government units shall be carried out through competitions organized for one or several vacant positions in the specific institution:

Civil Servants from the category of middle management level of civil service;

Other candidates outside of civil service that comply with the specific requirements of admission for this category

In no case, the number of the vacancies also for the candidates out of civil service can be higher than 15% of the general number of the members of the top management level of the specific institution. The decision that this procedure is open even for these candidates is the right of the head of the institution / decision-making body.

The procedure is organized by the human resources unit of the institution in the capacity of the responsible unit.

The announcement and pre-election procedures are performed by the human resources unit of the institution.

The competition procedure (written test and oral interview) are performed by the Permanent Selection Committee.

## Phase 1

### Announcement of the admission procedure (responsible unit)

<b>HRM Unit for independent institutions and local governments)</b>	<ul style="list-style-type: none"> <li>• <i>Announces the admission procedure at least 60 days before the estimated date of the competition;</i></li> <li>• <i>Publication of the admission procedure is posted on the "National Employment Service" Portal, on their website and internal premises of the institution and shall remain posted until the completion of the admission procedure.</i></li> </ul>
<b>Candidates</b>	<ul style="list-style-type: none"> <li>• <i>Must submit the requested documents not later than 30 calendar days, from the day of announcement on the National Employment Service Portal, as set out in the competition announcement.</i></li> </ul>

## Phase 2

### Preliminary verifications (DoPA /responsible unit)

<b>HRM Unit</b>	<ul style="list-style-type: none"> <li>• <i>Shall conduct the preliminary verification of the candidates who meet the general and specific requirements, as defined in the vacancy notice, in no later than 10 (ten) calendar days from the closing date of their submission.</i></li> </ul>
	<ul style="list-style-type: none"> <li>• <i>Shall match the documents provided by each candidate with the requirements set out in the competition notice.</i></li> </ul>
	<ul style="list-style-type: none"> <li>• <i>Shall prepare a list with the candidates who failed to meet all the requirements;</i></li> <li>• <i>The list will indicate where these requirements have not been met.</i></li> <li>• <i>The HRM unit shall individually notify each disqualified candidate, indicating what requirements have failed to be met.</i></li> </ul>



- Disqualified candidates may file a written complaint with the responsible unit within 5 (five) calendar days from the date of individual notification, in line with paragraph 5 of Chapter IV of this Decision.
- The HRM unit is obliged to reply within 5 (five) calendar days of receiving the complaint and has to explain its decision. The responsible unit may either reject or accept the arguments of the candidate.

### The successful candidates

Candidates who meet all the general and specific requirements defined in the vacancy notice are regrouped in a list arranged in alphabetical order. **This list is published on:**

- The "National Employment Service" Portal, in the case of State administration;
- Official website and internal premises.

### Phase 3 Evaluation of the candidates (Permanent Selection Committee)

**The candidate's evaluation is the total of three independent ratings, as follows:**

CV, including education, work experience and relevant training	<b>Max 10 points</b>
Written evaluation	<b>Max 40 points</b>
Structured oral interview	<b>Max 50 points</b>

**TOTAL**

**Max 100 points**

Permanent Selection Committee shall draft the questions for the written test and the oral interview at least two days before the test.

### Step 1: Written test

### Step 2: Oral examination and rating of the CV's and professional experience of the candidates

#### KPP holds a first meeting

- Organizes its work, evaluates and scores the documents of candidates and prepares the oral interviews;
- The content of the questions of oral interview is related to the knowledge, skills, competencies required for the job position, experience, motivation, career aspirations and expectations.

#### Conducting the oral interviews

- The members of the NSC shall introduce themselves and the Chairperson shall explain how the interview will be organized;
- Candidates shall be informed that the interview will be audio recorded, and sign a statement on accepting or refusing the audio recording.

#### Evaluating the oral interviews

- Each of the members of the NSC shall evaluate each question with points.
- Each point of evaluation of answers of the oral interview shall be explained in the following table. The ratings of each member are then averaged.

### Step 3: NSC reporting and final ranking

#### Preparation of the evaluation documents

- Immediately after the end of the interviews, the KPP calculates the total score of the candidates (the sum of the points attributed to the candidates for their CV's and experience, written test and structured oral interview) and prepares the three following documents, which are transmitted to the HR unit: the evaluation report, the provisional winners list, and the list of the candidates that did not qualify.

<b>the evaluation report</b>	<ul style="list-style-type: none"> <li>• A specific report is prepared and signed<sup>19</sup></li> </ul>
<b>the provisional winners list</b>	<ul style="list-style-type: none"> <li>• KPP prepares a provisional list of winning candidates, ranked in decreasing order of the number of points they received.</li> <li>• Candidates must total over 70 points to qualify for this list.</li> </ul>
<b>List of non-qualifying candidates</b>	<ul style="list-style-type: none"> <li>• Candidates who obtain less than 70 points (70% of questions) shall be ranked in a special list that is not made public, and shall be notified individually by the responsible unit.</li> <li>• In case no candidate gets more than 70% points (70% of points), the Committee shall close the evaluation procedure with no winner selected. The responsible unit shall notify closure of the competition without winners on the "National Employment Service" portal.</li> </ul>
<b>Publication</b>	<ul style="list-style-type: none"> <li>• Candidates who obtain less than 70 points (70% of questions) shall be ranked in a special list that is not made public, and shall be notified individually by the responsible unit.</li> <li>• In case no candidate gets more than 70% points (70% of points), the Committee shall close the evaluation procedure with no winner selected. The responsible unit shall notify closure of the competition without winners on the "National Employment Service" portal.</li> </ul>

#### Step 4: Publication of the final winner list

<b>Right to complaints</b>	<ul style="list-style-type: none"> <li>• Candidates have the right to file written complaints with KPP against the winner list within 5 (five) calendar days of receiving the individual notice.</li> <li>• The KPP is obliged to answer in writing within 5 (five) calendar days from the termination of deadline for filing complaints.</li> </ul>
<b>The final winner list</b>	<ul style="list-style-type: none"> <li>• Upon termination of this 10 days delay, the KPP either confirms the provisional winner list, or transmits a modified list to the HR unit for publication.</li> <li>• In both cases, it will also transmit a copy of the full complaint file (all complaints received, and the answers that have been made by the KPP).</li> </ul>

#### Appointment of top management level members in the independent institutions and local government units

Appointments are made HR unit upon request from the Head of the Institution where a top management positions is to be filled.

### 3.6. Useful management tools and documents

In addition to the guidelines, methodologies and templates already approved and disseminated by DoPA in the next pages, there are some more examples of specific tools and grids that can facilitate the work of those who are actors in the recruitment processes<sup>20</sup>.

<sup>19</sup> the template of evaluation report is provided in Annex 5 of DoPA Guideline n°2 of 2015 <http://www.dap.gov.al/legjislacioni/udhezime-manuale/54-udhezim-nr-2-date-27-03-2015>

<sup>20</sup> See the DoPA guideline no 2 of 2015, Annex 1

### 3.6.1 - Vacancy Announcement

**The announcement shall contain the following information:**

1. Title of the vacant job position
2. A general description of this job position;
3. The basic requirements for lateral transfer (\*) and, if any, special eligibility requirements for the position;
4. The list of documents to be submitted and submission modalities;
5. The deadline date for submission of documents, which must be 10 (ten) calendar days from the day of publication of the vacancy on the Portal;
6. The date of publication of results of the preliminary evaluation concerning minimum eligibility requirements for lateral transfer and of special conditions of the position;
7. The date, place and time where the interviews shall take place;
8. The fields of knowledge, skills and abilities to be assessed in the interview;
9. The modalities of evaluation of the candidates;
10. The date when competition results shall be announced;
11. The mode of communication with the candidates and, of notification of the results.
12. Where necessary, the publication will include also wage category/class.

**\* Basic eligibility requirements under this procedure include:**

1. To be a confirmed civil servant from any institutions of civil service.
2. To belong to the same category for which he/she applies
3. Not to be under any effective disciplinary measure;
4. To have, at least, as the last evaluation "Good" or "Very good";

**The consultation of the relevant Generic Job Description for the vacant position is recommended, specifically to draft the general description of the position, identify the special requirements of the position, and define the proper fields of knowledge, skills and abilities to be assessed in the interview .**

### 3.6.2 - Recruitment based on the required competencies

**Requirements and conditions of recruitment to different levels**

**Main competencies required for a top level management position:**

TMC only:  
competency framework as per  
Decision 118/5.03.2014

Specific requirements of the  
position as per the vacancy notice

Requirements by categories and job groups as per  
Decision no 142/12.03.2014  
Annex 1: General job description by category  
Annex 2: Requirements by job groups

General requirements for the Civil Service  
ART 21 Civil Service Law

<sup>21</sup> See the Generic job descriptions for entry-level positions

<b>Knowledge</b>	<ul style="list-style-type: none"> <li>■ Broad understanding of crosscutting competencies;</li> <li>■ Knowledge of economic and social phenomena;</li> <li>■ Knowledge of the European legal system."</li> </ul>
<b>Skills</b>	<ul style="list-style-type: none"> <li>■ The ability to run and manage various actions;</li> <li>■ Communication skills;</li> <li>■ Strategic management skills;</li> <li>■ Building of interpersonal relationships;</li> <li>■ Team work skills;</li> <li>■ Effectiveness;</li> </ul>
<b>Character</b>	<ul style="list-style-type: none"> <li>■ Reliability;</li> <li>■ Vision;</li> <li>■ Being a creator;</li> <li>■ Integrity.</li> </ul>

### 3.6.3 - Guideline for the selection committees to prepare the oral interviews

#### THE MAIN STEPS TO BE FOLLOWED:

1. Identification of the competencies and the relation with job descriptions (set-up a criteria grid);
2. Preparing the questions;
3. Preparing the evaluation grids;
4. Conducting the interview.

#### 1. Criteria Grid

**This has three (3) main sections:**

- Knowledge
- Abilities (Skills)
- Personal Qualities/Attributes

These may be subdivided into specific sections: example- Technical, Managerial, Interpersonal etc.

#### 2. Preparing the questions

For each area/section of the Criteria Grid the selection committee have to plan and prepare a list of questions they intend to use to test the candidate in terms of the Knowledge, the Abilities/Skills, the Attributes/Personal Qualities identified as **relevant to the job description for the position.**

**Note:** Candidates are not limited to only the prepared questions. There is flexibility to probe and follow up on candidate's answers

#### Central objective of the interview is:

- To ensure that each candidate is given a fair opportunity to demonstrate the capacity to meet the criteria identified.
- To distinguish between a good 'interviewee' and a good 'candidate'!

#### Effective Question Style

##### Question Areas:

- Questions determined by the Criteria list/grid /competency framework for the positions
- Job Description is key/central as context

##### Question Areas and Style should NOT be:

- Questions already covered in written tests or other phases of the procedures!
- Questions that allow a 'rehearsed or learned answer'!

# The Funneling Technique - Moving from the General to the Specific



### Question Style

- Ensure that, when testing skills in particular, questions seek specific examples of the competency (ability/skill/attribute) being demonstrated by that individual;
- Do not allow answers to drift into long descriptions of processes/ procedures;
- Do not allow answers to focus only on theoretical issues ;
- Ensure that the specific role played by the candidate/interviewee is clear.

### Gaining Evidence from Questions

- Try to ensure that candidate speaks in *First person singular* as much as possible

#### Example:

"I was responsible for...." ('We' if teamwork is the desired skill)

- Ensure that questions require examples of skills/aptitudes/ competencies and are drawn from the candidate's own experience.

### Type of questions that can be used:

#### 1. Open Questions

- Encourage expanded answers
- Should be used frequently

#### Examples:

"Tell me about your role....."

"How did you achieve that?"

"Why did you select that strategy?"

"What did you enjoy about.....?"

#### 2. Closed Questions

- Limit discussion
- Encourage Yes/No answers
- Useful when seeking a specific piece of information or to establish matters of fact

### Examples:

"Were you solely responsible for the planning and organizing of that project or activity...?"

"Do you know how to use....?"

### 3. Probing Questions

***What exactly has the candidate personally achieved, contributed, and had responsibility for.***

#### Examples:

- Take one particular example - what exactly was your role/what exactly did you do?
- How many people were involved – how did you deal with these.
- What challenges did you meet?
- How did you deal with these?
- Take me through the steps you followed.

#### Follow up on vague answers:

#### Examples:

- How exactly were you involved?"
- "What specifically was your role?"
- "How much responsibility did you as an individual actually have?"
- "Where did your involvement begin and end?"
- "To what extent were you solely responsible?"
- What has been the outcome, how has the achievement been measured? Who has measured it, how has the candidate's contribution been assessed?
- How has the candidate's experience, competencies, etc. developed as a result of the experience described?
- Can they relate this to the demands of the Albanian post(s) on offer?

## Questions to avoid

- Questions already covered in the written Tests!
- Questions that allow a 'rehearsed or learned answer'!
- Leading questions
- Double/ Multiple
- Obscure/ Ambiguous
- Discriminatory
- Closed (excessive use of)
- Stress or trick questions

## Be Careful with Certain Question Styles

- Hypothetical – Useful and also NOT useful! – be sure of what you are looking for! Knowledge? Perspective? Skill? Attribute?
- Memory Test questions- “how many .....?”
- “Do you think.....is important?”
- “Where do you see yourself in 5 years' time?”
- “What are your weaknesses?”
- 'DIY ('Do It Yourself') Psychology'

## Interviewer Errors

- Not Preparing Adequately
- Intimidating the Candidate
- Agreement Seeking
- Asking Irrelevant questions
- Talking about Self and Own Achievements
- Automatically Believing Everything the Candidate Tells You
- Failure to recognize that there are time constraints:
- Not Paying Attention to the Candidate
- Not Listening to the Candidate
- Talking more than the candidate does!

## Desired Answer style For Specific SKILLS & ATTRIBUTES (Knowledge and Experience is different)

- **Best answer:** - 1<sup>st</sup> person work related experience from their current role e.g. I had that situation only last week...
- **Next best :** 1<sup>st</sup> person experience from outside of work or previous work experience (maybe voluntary work or part-time)
- **Next best:** 1<sup>st</sup> person observed by a manager or a colleague dealing with such a situation e.g. bad language to a client on the phone or overseeing a big launch etc.,
- **Least effective answer:** 'Textbook answer' i.e. Learned in advance and simply repeated!... (Demonstrates candidate knowledge but no evidence of practical skill) if they have practical relevant experience you won't know this and they will not get the recognition for it!

## 3.6.4 - Types of questions for the oral interview:

The questions prepared by the Commission Members (or generated from the DoPA database) shall fall into three categories <sup>22</sup> :

- Questions related to behaviour;
- Questions related to a (hypothetical) situation;
- Questions designed for testing knowledge.

### Questions regarding behaviour shall be prepared according to the STAR method, as the following.

<b>Situation</b>	Describe the situation giving sufficient details.
<b>Task</b>	Describe the task / work for which you have been responsible.
<b>Action</b>	Describe the actions that you undertook. Talk about what you did.
<b>Result</b>	Describe what happened, how the situation ended, which were the lessons learned.

<sup>22</sup> See the DoPA guideline no 2 of 2015, Annex 2

Questions related to a situation shall be developed with the aim to put candidates in a work-related situation so that they can describe their future behaviour; questions related to knowledge require that the candidates describe and demonstrate their knowledge.

### 3.6.5 – Guideline for the scoring of oral interviews

Scoring Grid: each level of evaluation of questions of the oral interview is explained in the following table:

<b>Very bad.</b> The candidate does not manage to answer the question at all, does not know the answer.
<b>Bad.</b> The answer of the candidate for the question is incomplete, unclear.
<b>Satisfactory.</b> The candidate answers the question in part, or his/her answer is not completely correct, but he/she demonstrates good knowledge of the topic, and of logical thinking.
<b>Good.</b> The candidate answers the question correctly.
<b>Very good.</b> The candidate answers the question in a very detailed way showing that his/her knowledge exceed the requirements.

### Scoring example<sup>23</sup>

	Weighting	Score 1	Score 2	Score 3	TOTAL
Question 1	5 points	4	5	4	13
Question 2	5 points	3	5	4	12
Question 3	10 points	6	6	7	19
Question 4	10 points	9	8	9	27
Question 5	10 points	7	7	6	20
Question 6	20 points	15	14	17	46
<b>TOTAL</b>	<b>60 Points</b>	<b>44</b>	<b>45</b>	<b>47</b>	<b>136</b>

The points given by all 3 evaluators for all questions are summed up and the final result is the average total. In the example  $136 / 3 = 45.33$

<sup>23</sup> see the template of the evaluation report in Annex 3 of DoPA Guideline n°2 of 2015



### 3.6.6 – Examples of evaluation grids

POSITION Title: TMC position	Competencies- Knowledge/Ability (Skills/Attributes)	Criteria (as they are stated in DCM no. 262/2015)	Questions (examples)	The assessment		
				Meeting the criteria (adding after counting of points)		
				yes	no	Partially
<b>KNOWLEDGE</b>	<b>Technical</b>	<p>Knowledge of economic and social phenomena;</p> <p>The area knowledge specified in the job announcement.</p>	Written examination			
	<b>Civil Service Context Specific</b>	Knowledge on the responsibilities and duties expressed in the general job description.	<p>Written examination.</p> <p>For the interview: Identify the main cross-cutting functions in the Albanian Civil service;</p> <p>How do you think professionalism could be developed or improved in these functions?</p> <p>What do you understand as the main duties of a HR department and a HR Director in the Albanian Civil Service?</p>			

			<p><i>(it can refer to a different department/directorate/ institution)</i></p> <p>Identify and highlight what you consider to be the main initiatives and developments the Albanian Civil Service has implemented in recent years.</p> <p>In your opinion, what are the main challenges facing the Albanian Civil Service at this time?</p> <p>In your opinion, should any part of the salary of civil servants be paid according objectives/results (performance related pay)... Why/Why not?</p>			
<b>ABILITIES</b>	<b>Managerial</b>	Vision and Strategic Approach	<p>What will you do in your future position to define long term objectives?</p> <p>Tell us of one specific occasion where you were strategic in your thinking and management style?</p> <p>How can you demonstrate a 'proactive approach' to your work?</p>			
		Strategic management skills	<p>What does management mean to you?</p> <p>What is the most strategic : organization and structure, workforce, political orientation, mission;</p> <p>For the workforce what is the most strategic : qualification, commitment, professional career, assessment, motivation...etc.</p>			

		Ability to run and manage several actions	Do you think it is better: to finish a job before starting another or to run in parallel several tasks? Describe a typical week in your current position, how do you define priorities from Monday to Friday?			
		Decision- Making Skills	In what area of your current work do you have to make complicated decisions? Give us an example of a recent situation where you demonstrated judgement and effective good decision-making ability Tell us about the most difficult decision you have had to make in the last six months. How did you reach that decision? What was the key factor in your decision? What would the consequences be if you had made a poor decision?			
		Effectiveness	Could you quote 5 strategic objectives for the civil service? How could you measure results for 2 of them? What part of the salary of civil servants could be paid according objectives/results? What is the most important point in the civil service: to economize or to attain results?			

		<p>Organizational Skills</p> <p>Planning and prioritizing</p> <p>Ability to monitor / supervise/oversee the work of others</p>	<p>Describe a typical week as it is in your current position; Tell us of some typically simultaneous demands in your work;</p> <p>How do you prioritize the tasks and duties when the demands exist together?</p> <p>How do you differentiate between what is urgent and what is important?</p> <p>Give us an example of a specific recent task or project that required you to be able to multi-task?</p> <p>How do you delegate or share work to or with team members?</p> <p>Have you ever been in a situation where a team member is not contributing sufficiently or is underperforming..?.</p> <p>What did you do? If not...have you seen a manger address this?</p> <p>What needs to be considered?</p>			
		<p><b>Problem- Solving Skills</b></p>	<p>Where in your work do you have to address the most difficult problems? Give us an example of such a situation you encountered. How do you balance the need to achieve results with the need to save resources?</p>			

**Communication skills  
(3 elements: Verbal,  
Written and Listening)**

Outline to us a specific time in your work where your communication skills were severely tested.

What did you do and why? What was the result of this? Which aspect of communication skills was most evident?

What element of your current or past work involved compilation of reports? ....What element and what % (percentage) of the writing of the reports did you (as an individual) do yourself without direct assistance?

Have you experience of making a presentation to an audience? Where and in what context? What were the key steps in preparing for this?

If not, have you ever observed an 'excellent' presentation at work?

What was 'excellent' about it? What skills did the presenter demonstrate on that occasion?

Can you demonstrate such skills yourself in any context?

What role do you think communication skills play in the role of a top manager?

<p><b>PERSONAL</b></p> <p><b>QUALITIES/</b></p> <p><b>ATTRIBUTES</b></p>	<p><b>Behaviour</b></p>	<p><b>Reliability &amp; Accountability</b></p>	<p>What is the most important quality of a civil servant - Classify these qualities from the most important to the least: skill, commitment, reliability, punctuality, loyalty etc.</p> <p>Where in your work does responsibility fall on you personally?</p> <p>What aspects of your own work performance do you believe demonstrate a reliable, dependable approach to work?</p> <p>What would the consequences be of failing to accept responsibility?</p>			
		<p><b>Initiative and creativity</b></p>	<p>Role playing : you are appointed as TMC and someone tells you that staff are demotivated, what do you do (<i>ASPA has a list of role playing</i>)</p> <p>Demonstrate a specific occasion or example in your work where you had to show initiative and not wait for someone else to tell you what to do;</p> <p>Tell us of a suggestion or new idea you have put forward in your work. How was it received? What was particularly new or original about it?</p>			

		<p><b>Integrity and ethics</b></p>	<p>Do you think civil servants are paid enough to avoid corruption?</p> <p>What is the best protection against corruption for civil servants?</p> <p>What do you identify as the primary ethical principles for working as a civil servant?</p> <p>Have you ever been in a situation where your integrity was demonstrated?</p> <p>Tell us how you demonstrated such integrity?</p> <p>Have you ever been in a situation of ethical conflict?</p> <p>How did you deal with that situation?</p>			
	<p><b>Interpersonal relation</b></p>	<p><b>Building an interpersonal relationship</b></p>	<p>Classify the following abilities from the most important to the least to build interpersonal relationships : authority, consensus, negotiation, unions, networks, politeness, assertiveness, equanimity, empathy</p> <p>How do you motivate yourself in work?</p> <p>What approach do you take to motivating colleagues?</p>			

			<p>How do you create a productive atmosphere with colleagues you work with?</p> <p>What do you consider the biggest challenges to positive interpersonal relations in the Albanian Civil Service at present? Why? How do you deal with these factors?</p> <p>Have you ever witnessed conflict in a work team or group situation?</p> <p>What do you do if/ when such conflict occurs?</p>			
		<p><b>Team work</b></p>	<p>What is the first quality needed to be a good team worker?</p> <p>Do you think a team makes a better decision than one person? Is team working discordant with authority?</p> <p>What role does teamwork play in the position of TMC?</p> <p>What specific element of teamwork does your current role involve?</p> <p>What qualities or abilities do you as an individual bring to this team situation?</p> <p>Give us one example of when you contributed that ability to the team.</p> <p>In what type of situation do you not delegate work and think it perhaps better to do it yourself?</p>			



**Some other skills could be added.**

**Note:** Questions are examples, which can be changed and above all, adapted to the interview. Questions have to be short and to the point avoiding long developments from the members of the board. The point for the board of examiners is to be able to analyse the answer in order to find out if the criteria the board is looking are present:

- Criteria is present
- Criteria is likely present
- Criteria is likely absent
- Criteria is absent

It is recommended to ask one or two members of the board (not always the same) to fill out a grid noting if criteria are present during the interview run by others members.

The mark has to be given according to the grid after discussion between members of the board.

**Example for low level management positions:**

POSITION: HEAD OF SECTOR	Competencies- Knowledge/Ability (Skills/Attributes)	Criteria	Suggested Questions	The assessment		
KNOWLEDGE				Meeting the criteria (adding after counting of points)		
	Technical		Related to the domain and as per Job Description	yes	no	Partially
	Civil Service Context		<ul style="list-style-type: none"> <li>• Identify the main cross-cutting functions in the Albanian Civil service.</li> <li>• How do you think professionalism could be developed or improved in these functions?</li> <li>• What do you understand as the main duties of a HR department</li> </ul>			

			<p>and a HR Director in the Albanian Civil Service ?</p> <ul style="list-style-type: none"> <li>• Identify and highlight what you consider to be the main initiatives and developments the Albanian Civil Service has implemented in recent years.</li> <li>• In your opinion, what are the main challenges facing the Albanian Civil Service at this time?</li> <li>• In your opinion, should any part of the salary of civil servants be paid according objectives/results (performance related pay)? Why/Why not?</li> </ul>			
	<b>Managerial</b>	<b>Vision and Strategic Approach</b>	<ul style="list-style-type: none"> <li>• Tell us of one specific occasion where you were strategic in your thinking and management style?</li> <li>• How can you demonstrate a 'proactive approach' to your work?</li> </ul>			
<b>ABILITIES</b>		<b>Decision- Making Skills</b>	<ul style="list-style-type: none"> <li>• In what area of your current work do you have to make complicated decisions?</li> <li>• Give us an example of a recent situation where you demonstrated judgement and effective good decision-making ability</li> <li>• Tell us about the most difficult decision you have had to make in the last six months. How did you reach that decision? What was the key factor in your decision? What would the consequences be if you had made a poor decision?</li> </ul>			

		<p><b>Organizational Skills</b></p> <ul style="list-style-type: none"> <li>• <b>Planning and prioritizing</b></li> <li>• <b>Ability to monitor/ supervise/ oversee the work of others</b></li> </ul>	<ul style="list-style-type: none"> <li>• Describe a typical week as it is in your current position.</li> <li>• Tell us of some typically simultaneous demands in your work.</li> <li>• How do you prioritize the tasks and duties when the demands exist together?</li> <li>• How do you differentiate between what is urgent and what is important?</li> <li>• Give us an example of a specific recent task or project that required you to be able to multi-task?</li> <li>• How do you delegate or share work to or with team members?</li> <li>• Have you ever been in a situation where a team member is not contributing sufficiently or is underperforming? What did you do? If not...have you seen a manger address this? What needs to be considered?</li> </ul>			
		<p><b>Problem- Solving Skills</b></p>	<ul style="list-style-type: none"> <li>• Where in your work do you have to address the most difficult problems? Give us an example of such a situation you encountered...</li> <li>• How do you balance the need to achieve results with the need to save resources?</li> </ul>			
		<p><b>Communication skills ( 3 elements: Verbal, Written and Listening)</b> * Including <b>Presentation and Report Writing Skill</b></p>	<ul style="list-style-type: none"> <li>• Outline to us a specific time in your work where your communication skills were severely tested . What did you do and why? What was the result of this? Which aspect of communication skills was most evident?</li> </ul>			

			<ul style="list-style-type: none"> <li>• What element of your current or past work involved compilation of reports? What element and what % (percentage) of the writing of the reports did you (as an individual) do yourself without direct assistance?</li> <li>• Have you experience of making a presentation to an audience? Where and in what context? What were the key steps in preparing for this?</li> <li>• If not, have you ever observed an 'excellent' presentation at work? What was 'excellent' about it? What skills did the presenter demonstrate on that occasion? Can you demonstrate such skills yourself in any context?</li> <li>• What role do you think communication skills play in the role of a Head of Sector?</li> </ul>			
<b>PERSONAL QUALITIES/ ATTRIBUTES</b>	<b>Behavior</b>	<b>Reliability &amp; Accountability</b>	<ul style="list-style-type: none"> <li>• Where in your work does responsibility fall on you personally?</li> <li>• What aspects of your own work performance do you believe demonstrate a reliable, dependable approach to work? What would the consequences be of failing to accept responsibility?</li> </ul>			

		<b>Initiative and creativity</b>	<ul style="list-style-type: none"> <li>• Demonstrate a specific occasion or example in your work where you had to show initiative and not wait for someone else to tell you what to do</li> <li>• Tell us of a suggestion or new idea you have put forward in your work...how was it received? What was particularly new or original about it?</li> </ul>			
		<b>Integrity and ethics</b>	<ul style="list-style-type: none"> <li>• What do you identify as the primary ethical principles for working as a civil servant?</li> <li>• What, in your opinion, is the best protection for civil servants against corruption</li> <li>• Have you ever been in a situation where your integrity was demonstrated? Tell us how you demonstrated such integrity.</li> <li>• Have you ever been in a situation of ethical conflict? How did you deal with that situation?</li> </ul>			
	<b>Interpersonal relations</b>	<b>Building and maintaining interpersonal relationships</b>	<ul style="list-style-type: none"> <li>• How do you motivate yourself in work? What approach do you take to motivating colleagues?</li> <li>• How do you create a productive atmosphere with colleagues you work with?</li> <li>• What do you consider the biggest challenges to positive interpersonal relations in the Albanian Civil Service at present? Why? How do you deal with these factors?</li> <li>• Have you ever witnessed conflict in a work team or group situation? What do you do if/ when such conflict occurs?</li> </ul>			

		<b>Team work</b>	<ul style="list-style-type: none"> <li>• What role does teamwork play in the position of Head of Sector?</li> <li>• What specific element of teamwork does your current role involve?</li> <li>• What qualities or abilities do you as an individual bring to this team situation? Give us one example of when you contributed that ability to the team.</li> <li>• In what type of situation do you not delegate work and think it perhaps better to do it yourself?</li> </ul>			
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### 3.6.7 - How to design good MCQ's?

**Multiple-choice questions must be designed observing the following rules:**

1. Each question has at least three answers;
2. Each question has only one correct answer. The other answers are not correct, but look convincing;
3. Do not create questions that can be answered with yes or no;
4. It should be clear which answer is the correct. A good practice is to have only one correct answer, and not many answers that are only "partially correct";
5. Expressions such as: "Both options are correct", "None of the above" must be avoided;
6. All proposed answers must be comparable in terms of length;
7. If all the answers contain the same information, it means this information should be included in the question, and not repeated in the answers;
8. Answers must directly relate to the questions;
9. The test should follow uniform rules of orthography and punctuation

## Chapter Four: Performance Appraisal Process

### 4.1 Context

"In a context of growing unpredictability within the social and economic environment, the ability of public organizations to readjust to new strategic challenges has become an imperative. The debate on methods of recruitment, evaluation and control of civil servants and managers has therefore become more relevant in public administration, politics and civil society. After all, civil servants and managers are the first line of responsibility for the adequate and timely execution of public policies dictated by the government and general political power.

International experience, particularly in West European countries, suggests the existence of an array of solutions in recruitment and performance evaluation models, all inherited from the local cultural and political history of that bureaucracy. The development of administrations is anchored in tradition and any line of administrative reform must therefore be aware of the cultural environment, as its direction, speed and sustainability will depend on it."<sup>24</sup>

### 4.2 Performance appraisal of civil servants of the executive, low and middle management levels.

#### 4.2.1. The legal and regulatory framework

- Law No. 152/2013 "On the civil servant" as amended;
- Decision of the Council of Ministers No. 109, dated February 26, 2014 on the performance appraisal of civil servants,

- Decision of the Council of Ministers No. 252, dated March 30, 2016 on some amendments and additions to the Decision No. 109.

#### 4.2.2. The main tasks and actors

As set in Council of Ministers' Decision No. 109, dated February 26, 2014 amended by Council of Ministers' Decision No. 252, dated March 30, 2016, the process of performance appraisal of civil servants of the executive, low and middle management levels encompass the tasks and involves the actors as follows:

Time-frame*	Tasks	Actors
15-31 December / 15-30 June	1. Objective setting	Reporting official; Civil servant
15-31 March / 15-30 September	2. Progress review	Reporting official; Civil servant
1-15 January / 1-15 July	3. Final appraisal	Reporting official; Civil servant; Countersigning official; Authorizing official; Human Resource Units

\* In the case of performance appraisal of civil servants in probation, the evaluation period starts with their appointment, running for 6 months thereon.

<sup>24</sup> RODRIGUES, M., MADUREIRA, C. - The evolution of civil servants' and managers' recruitment and performance evaluation processes in Portuguese public administration, *Revista Portuguesa de Management*, N.º 2, Ano 2, 2009

The main instrument in use in this process is the **Performance Appraisal Form**, which will register all the information created during its implementation, including objective setting, progress review (interim evaluation), final appraisal, eventual re-evaluation and subsequent hierarchical approvals.

### **Performance appraisal focuses two aspects of the civil servant's activity:**

- **Objectives** - a set of specific and measurable goals to be achieved by the end of the evaluation period.
- **Competencies** - a set of predefined technical, knowledge and/or behavioural skills.

The civil servant and the reporting official are the main actors in this process, as they will have to negotiate objectives in a realistic and objective manner, as well as discuss the final appraisal based on facts, in order to ensure an unbiased evaluation <sup>25</sup>.

The involvement of the countersigning official, as set in DoCM 109, Chapter III, §2, is to ensure the compliance of each appraisal process to the overall evaluation policy, and the authorizing official is responsible, as set in DoCM 109, Chapter III, §3, for ensuring that the performance appraisal system is applied objectively, that officials have full knowledge of the system and that needs for training are identified.



#### **STEP 1: Objective setting**

- The HR Unit informs managers of their obligations and deadlines, and provides the appraisal forms;
- The reporting officer meets with each civil servant, discusses, negotiates and agrees on specific objectives

<sup>25</sup> See the *Performance interview guidelines*;

<sup>26</sup> See the *Objective setting guidelines*;

<sup>27</sup> See the *Performance appraisal form*;

<sup>28</sup> See the *Appraisal interview*;

and indicators, when applicable <sup>26</sup>. This information is registered in the Performance Appraisal Form, Divisions A, B and C <sup>27</sup>;

- The Form is submitted to the HR Unit.



#### **STEP 2: Progress review**

In the interim evaluation, an evaluation of both parts C and Ç is made. In order to document this phase, the reporting officer may keep a record or complete the assessment form by indicating that this is the interim evaluation <sup>28</sup>; The

Form is submitted to the HR Unit.

#### **STEP 3: Final appraisal**

- In case the civil servant agrees with the re-evaluation, the authorizing official signs and submits the form to the HR Unit.
- In case the civil servant does not agree with the re-evaluation, the authorizing official performs a re-evaluation and submits the form to both the civil servant and the HR Unit;
- The HR Unit compiles all the information on performance evaluation and reports it to DoPA for statistical analysis.

### **4.3 Performance appraisal of civil servants after the probation period**

#### **4.3 Performance appraisal of civil servants after the probation period**

- Law No. 152/2013 "On the civil servants" as amended;
- Decision of the Council of Ministers No. 109, dated February 26, 2014 on the performance appraisal of civil servants,
- Decision of the Council of Ministers No. 252, dated March 30, 2016 on some amendments and additions to the Decision No. 109;



- Decision of the Council of Ministers No. 243, dated March 18, 2015 on admission, lateral transfer, probation period and appointment to the executive level, Chapter VI - Probation Period<sup>29</sup>.

### 4.3.1. The main tasks and actors

According to DoCM No.243, Chapter VI, some specificity applies to civil servants who are appointed, as they undergo a one-year probation period. The performance appraisal itself is in every aspect the same as for other civil servants, except for the time period being evaluated. Instead of considering the calendar semester, their performance is evaluated in respect to a one-year period starting with their appointment. HR Units must therefore take charge of managing these specific cases and be aware that this appraisal is used to confirm or not (dismiss) the civil servant.

Moreover, civil servants in probation are required to attend induction training, upon which they undergo knowledge tests. Finally, they are assigned a senior civil servant to support and instruct them, who will submit a final report which is taken into consideration for his/her probation period final evaluation.

## 4.4 Performance appraisal of civil servants part of the Top-Level Management Corp, as well as the high level management in the independent institutions and local government units

### 4.4.1. The legal and regulatory framework

- Law No. 152/2013 "On the civil servants" as amended;
- Decision of the Council of Ministers No. 109, dated February 26, 2014 on the performance appraisal of civil servants,
- Decision of the Council of Ministers No. 252, dated March 30, 2016 on some amendments and additions to the Decision No. 109.

### 4.4.2. The main tasks and actors

As set in Council of Ministers' Decision No. 109, dated February 26, 2014 amended by Council of Ministers' Decision No. 252, dated March 30, 2016, the process of performance appraisal of civil servants of the TMC encompasses the tasks and involves the actors as follows:

Time-frame*	Tasks	Actors
15-31 December / 15-30 June	1. Objective setting	Direct supervisor* + TMC member being appraised
15-31 March / 15-30 September	2. Progress review	Direct supervisor* + TMC member being appraised
1-15 January / 1-15 July	3. Final appraisal	Direct supervisor*; +TMC member being appraised; National Selection Committee

\* According to DoCM 109, Chapter II, §4-6, depending on the type of institution involved, Direct supervisor may also refer to Secretary General, Minister or Prime-minister

<sup>29</sup> Decision no. 243, dated 18.3.2015 On the acceptance, lateral transfer, probation period and appointment in the executive level category <http://www.dap.gov.al/legjislacioni/per-sherbimin-civil>

**The main instrument in use in this process is the Performance Appraisal Form**, which will register all the information created during its implementation, including objective setting, progress review (interim evaluation) and final appraisal.

Performance appraisal focuses two aspects of the civil servant's activity:

- **Objectives** - a set of specific and measurable goals to be achieved by the end of the evaluation period.
- **Competencies** - a set of predefined technical, knowledge and/or behavioral skills.

The civil servant and the direct supervisor are the main actors in this process, as they will have to negotiate objectives in a realistic and objective manner, as well as discuss the final appraisal based on facts, in order to ensure an unbiased.

The National Selection Committee is responsible, as set in DoCM 109, Chapter II, §4-7, for carrying out the final appraisal of the civil servant, by conducting an interview.

Moreover, in order to organize and prepare the process, some guidelines were developed for the NSC <sup>30</sup>.

### **Task 1: Objective setting**

- The HR Unit reminds the direct supervisors of their obligations and deadlines, and provides the appraisal forms as approved in the DoCM no 109/2014, as amended ;
- The direct supervisor meets with each civil servant, discusses, negotiates and agrees on specific objectives and indicators, when applicable; This information is registered in the Performance Appraisal Form, Divisions A, B and C;

### **Task 2: Progress review**

- The direct supervisor meets with each civil servant and discusses his/her performance on the basis of the objectives set, grading each one; this information is registered in the Performance Appraisal Form.

### **Task 3: Final appraisal**

- 1
  - The direct supervisor performs the evaluation of the civil servant for the appraisal period. The appraisal can be done by fulfilling a form, as per annex approved by the Decision of Council of Ministers, or by taking minutes of meeting where it is also reported on the opinion of the official on the progress. In this case, the official reporter is the direct supervisor.
  - The evaluation performed by the reporting officer, according to one of the above mentioned methods, is sent to the NSC - the National Selection Committee for the Top Management Corps.
  - The NSC meets with each civil servant and evaluates his/her performance on the basis of the completed form and any other relevant documentation. NSC for TMC fulfils the appraisal form, in which are previously noted by the direct supervisor only the objectives (reporting official). The document in which the reporting officer has made the above assessment is simply a document that comes to the aid of the NSC to make the final assessment of the civil servant part of the TMC.
  - The form filled by NSC, signed by NSC and the assessed employee, is sent to DoPA, HR unit of the institution where the TMC member is employed and to the civil servant being assessed (member of TMC).
  - DoPA compiles all the information on performance evaluation and performs statistical analysis.

<sup>30</sup>See the National Selection Committee.

### 4.4.3. Useful management tools and documents

#### A. Guideline - Objective setting

1. Performance appraisal should serve as an instrument to ensure that managers and employees receive periodic feedback, recognition and guidance in order to promote effective job performance. It provides a way to compare results with expectations, to identify levers and obstacles as well as to identify improvement measures and actions.

2. Setting objectives is a negotiation process, where managers and employees agree on and set objectives and indicators. It is crucial that there is an agreement between manager and employee, in order to ensure co-responsibilization and compromise with the objectives set.

3. The measurement of indicators must rely on available and reliable information. Systems, tools and instruments should be implemented in order to allow the manager to collect information and easily calculate the values for each indicator used.

4. The setting of objectives and indicators should always follow the **SMART** criteria, as they must be:

- **Specific**, targeted at a limited part of the activity;
- **Measurable**, through the use of concrete quantitative indicators;
- **Achievable**, or over-achievable, as to give the opportunity to excel and do more/better than expected;
- **Realistic**, taking into consideration the work context, available resources, etc.;
- **Time-framed**, in the present case, for the trimester

5. In order to ensure the coherence of performance, the objectives defined in each case must be in line with the objectives of the immediate superior hierarchical level.

6. In order to identify and set individual objectives, the manager has to:

- a. Plan the activity of his/her unit according to its objectives
- b. Analyze the working processes of the unit
- c. Identify the key activities for each worker
- d. Define the objectives for each key activity of each worker

7. When setting objectives, four essential criteria must be taken into consideration, namely:

- The **objective**, which is the expected result;
- The **indicator(s)**, which are measurable (quantitative) variables that can focus on efficiency or effectiveness of work, as well as on quantitative or qualitative aspects of work
- The **target**, which is the specific value that the indicator should reach at the end of the period;
- The **metrics**, which allow to evaluate each indicator in "not reached", "reached" or "surpassed"

The following are typical examples. However, they should not be used indiscriminately without assessing if they make sense in each situation/ case; they only serve as examples as each manager must investigate, design and decide upon which objectives/indicators make sense to use to evaluate what is needed.

**Objective:** To prepare and timely deliver quality reports

1 • **Indicator 1:** Average deadline deviation (days)

1 • **Target:** 0

1 • **Metrics:** not reached: more than 5; reached: -5 to 5; surpassed: less than -5

1 • **Indicator 2:** Average quality of reports (scale 1 - very poor to 5 - excellent)\*

1 • **Target:** 2.5

1 • **Metrics:** not reached: less than 2; reached: 2 to 3; surpassed: more than 3

*\* This indicator is based on a specific form to evaluate the quality of each report, with criteria like, for example: coverage of critical issues, clarity of language, information consistency and structure, proposed solutions/recommendations, drafting autonomy / need for external support, etc.*

**Objective:** To provide effective and efficient customer service

- **Indicator 1:** Average customer waiting time (minutes)
- **Target:** 30
- **Metrics:** not reached: more than 35; reached: 25 to 35; surpassed: less than 25
- **Indicator 2:** Return rate\*
- **Target:** 1.5
- **Metrics:** not reached: more than 1.8; reached: 1.2 to 1.8; surpassed: less than 1.2

\* Average number of times a customer has to come to the institution in order to have his problem solved / request answered

- **Indicator 3:** Average customer satisfaction (scale 1 - very poor to 5 - excellent)\*
- **Target:** 3.5
- **Metrics:** not reached: less than 3; reached: 3 to 4; surpassed: more than 4

\* This indicator is based on a specific form that customers fill after being serviced.

**Objective:** To manage unemployment allowance requests

- **Indicator 1:** Average processing time (days)
- **Target:** 60
- **Metrics:** not reached: more than 65; reached: 55 to 65; surpassed: less than 55
- **Indicator 2:** Percentage of information data entry errors committed
- **Target:** 5%
- **Metrics:** not reached: more than 7.5%; reached: 2.5% to 7.5%; surpassed: less than 2.5%
- **Indicator 3:** Percentage of processes filed with a complaint\*
- **Target:** 10%
- **Metrics:** not reached: more than 15%; reached: 5% to 15%; surpassed: less than 5%

\* Number of complaints divided by the total number of processes.

**Objective:** To improve administrative cost-efficiency

- **Indicator 1:** Percentage of dematerialized processes\*
- **Target:** 30%
- **Metrics:** not reached: less than 25%; reached: 25% to 35%; surpassed: more than 35%

\* Number of processes fully managed electronically divided by the total number of processes

- **Indicator 2:** Cost reduction (%) in printing paper and printer toner acquisitions\*
- **Target:** 10%
- **Metrics:** not reached: less than 7.5%; reached: 7.5% to 12.5%; surpassed: more than 12.5%

\* Compared to previous year

- **Indicator 3:** Electronic/traditional interaction ratio\*
- **Target:** 1
- **Metrics:** not reached: less than 0.95; reached: 0.95 to 1.05; surpassed: more than 1.05

\* Number of personal interactions made electronically (email/web) divided by the number of interactions made traditionally (face-to-face/ phone)

8. Indicators can focus on tangible or intangible aspects of the activity. Tangible aspects are more easily measurable and are usually linked to production of goods or services, e.g. "number of reports delivered", "number of customers serviced", whereas intangible aspects are more difficult to measure and are usually linked to perceptions, behaviors and other subjective issues, e.g. "Average quality grade [customer survey]", "Organization's image/reputation", "Technical quality of reports".

9. Indicators can also focus on results or impacts. Usually, when conducting individual performance appraisal, the focus must be on results, since typically, impacts stem from the activity of a multiplicity of individuals, teams or even institutions. Inversely, results are specific to the activity of one individual, team or institution.

**10.** Indicators are the final expression of performance, in terms of each objective. It is therefore crucial that they are simple, pertinent, reliable and based on available information.

**11.** Targets determine the attainment of the objective, allowing for its permanent monitoring. They have to be realistic, i.e. to take into account the context, available resources, etc., may vary in time (production levels may be different throughout the year or from one year to the next; quality may be increased over time, etc.) and they always have to be associated with evaluation metrics, in order to allow the grading of the indicator in the scale “not reached”, “reached” or “surpassed”.

## **B. Guideline - Performance interview**

The performance appraisal interview is an important part of any organization’s performance evaluation system, providing feedback to employees, counselling and developing their performance and discussing compensation, career development or disciplinary measures. In order to ensure the effectiveness of the interviews, the manager has to have a deep knowledge of the employee’s job and performance, he has to demonstrate support to the employee and has to welcome the employee’s participation in the discussion. There are three basic steps (or moments) involved in managing performance appraisal interviews, as follows.

### **Step 1: Prepare the interview**

- Preliminary assessment by both the manager and the civil servant (self-assessment)
- Review previous evaluation and development plan
- Review history of evaluation
- Make an appointment for a convenient date/time for both, in time
- Select a neutral, comfortable and private location (never stand behind your desk)
- Reserve enough undisturbed time

### **Step 2: Conduct the interview**

*Performance evaluation encompasses two parts: Revision (looking at the past) and Planning(looking into the future); these can be addressed within the same interview or in separate ones*

<sup>1</sup>

- Start with an ice-breaker, making the civil servant as comfortable as possible
- Explain the purpose and form of the interview
- Go through, and discuss, each objective/indicator
- Facilitate, asking the civil servant how he/she assesses his/her own performance in terms of each objective/indicator and asking for proof, examples, etc.
- Focus on performance, not personality
- Commend good performance; Understand bad performance (why? How could I have helped? How can we correct/improve?)
- Never use surprise-factors (e.g., point out something for the first time)
- Ideally, there should be consensus for each grade, based on facts, proofs, etc.
- Negotiate and set objectives for the next year
- Improve assessment and measure tools, based on difficulties found
- Consider improvement proposals identified in the previous phase
- Compromise to help (and to control external factors)
- Close in a positive way

### **Step 3: Post-interview monitoring**

<sup>1</sup>

- Setting objectives is the “performance contract” for the civil servant
- Give support (motivational and material, making sure he/she has the necessary tools, etc.)
- Be present, close to the action
- Make sure the civil servant has adequate training
- Give feedback about the civil servant’s performance as soon as possible; don’t wait until the end of the evaluation period
- Contribute to a positive working environment, where the worker can fulfill his social and motivational needs.

## Chapter Five: Disciplinary Measures Procedures

### 5.1 Context

A civil servant is responsible for breaking by fault the civil servant's obligations under the law. Thus, the disciplinary measures are foreseen and specific rules have to be followed.

According to the law provisions, the disciplinary procedure represents the administrative activity which is carried out from the time of the ascertainment of the disciplinary violation, notification in writing to the person who is alleged to have committed the violation, up to the making of the final decision by the disciplinary body.

In the upcoming pages the main steps and actors will be described in order to facilitate the understanding of the procedure and the proper implementation.

#### Violations in the civil service are divided into:

Very serious offense	Serious violations	Minor violations
<ul style="list-style-type: none"> <li><b>a)</b> serious breach of duty;</li> <li><b>b)</b> repeated failure to respect time limits in performance, which have very serious consequences;</li> <li><b>c)</b> failure to explicitly obey legal provisions for operational performance;</li> <li><b>ç)</b> abandonment of work, or continuous and unexcused absence for 7 days or more, when the absence has very serious consequences in the performance of the institution;</li> </ul>	<ul style="list-style-type: none"> <li><b>a)</b> Failure of duties;</li> <li><b>b)</b> abandonment of work or unexcused absence and continuing for 3 days or more, the absence has serious consequences;</li> <li><b>c)</b> repeated violation of the rules of ethics in the civil service;</li> <li><b>ç)</b> abnormal behavior, repeatedly, during work with the superiors, peers, subordinates and the public;</li> <li><b>d)</b> damage of the state property, its use outside the official definition or misuse of state property;</li> <li><b>dh)</b> abnormal behaviour, repeatedly, during work with the superiors, peers, subordinates and the public;</li> <li><b>e)</b> When repeated, within or outside office hours, the actions that violate the civil servant figure, the institution or civil service as a whole;</li> <li><b>ë)</b> Breach of the obligations set forth in this law.</li> </ul>	<ul style="list-style-type: none"> <li><b>a)</b> unexcused absence from work for up to 3 days;</li> <li><b>b)</b> violation of the rules of ethics;</li> <li><b>c)</b> irregular behavior during work time, with superiors, peers, subordinates and the public;</li> <li><b>ç)</b> When, within or outside office hours, the actions that violate civil servant figure, institution or civil service as a whole.</li> </ul>

### 5.1.1. The legal and regulatory framework

- Law No. 152/2013 "On the civil servant", chapter X.
- Decision of the Council of Ministers no.115/ 2014 on defining the disciplinary proceedings and rules of establishing, composition and decision-making of the disciplinary committee of the civil service.
- Guideline No. 1 dated 2.4.2014 on main procedural and material elements of handling and reviewing the disciplinary violations.

### 5.1.2. The main tasks and actors

#### STEP 1: reporting the violation

The potential violation of the rules can be reported by:

- The civil servants of the institution that are aware or suspect disciplinary violations committed by another civil servant;
- The citizens;
- Other institutions.

#### STEP 2: send the report to the direct superior

In order to be considered, the complained should meet some conditions:

- It has to be in writing;
- It should identify the civil servant, who is alleged to have committed the disciplinary violation;
- It should define the concrete action, which is alleged to constitute a disciplinary infringement and the circumstances of its commitment.

**!** The report/complaint should be addressed to the direct superior of the civil servant alleged to have committed the disciplinary violation.

**! - Anonymous complaints shall not be accepted for review.**

#### STEP 3: the direct supervisor clarify and classify the level of violation

The direct supervisor of the civil servant has to assess the complaint and to take a decision, as it follows:

- The received information fails to poses the necessary elements for it to be classified as disciplinary violation => **the direct supervisor decides not to initiate the disciplinary proceeding.**
- The received information contains elements needed to be classified as disciplinary violation => the direct supervisor classifies the violations under Article 57, Paragraph 1 of Law No. 152/2013.

- If is classified as a petty one - the direct supervisor shall initiate the disciplinary proceeding
- Otherwise - the direct supervisor shall ask the **Disciplinary Committee** to start the disciplinary proceeding.

#### STEP 4: initiate the disciplinary procedure

The disciplinary procedure has to be initiated by the **disciplinary body.**

#### The main disciplinary bodies are the following:

- National Selection Committee (NSC) for the members of the TMC;
- the Disciplinary Committee (DC)<sup>31</sup> for other civil servants
- the direct superior

#### STEP 5: notify the civil servant who committed the violation

The disciplinary body notifies the civil servant who committed the violation, mentioning in the notification the following:

- The disciplinary violation attributed to him;

<sup>31</sup>See the composition of the Disciplinary Committee in the next sub-chapter

- The right of the civil servant to present explanations in writing about the alleged violation and the deadline for the submission of these explanations;
- The right of the civil servant to inspect the proceeding file, to be heard in person or through the attorney, to present witnesses, to present evidence or require their collection;
- The date when the alleged violation will be reviewed. This date may not be set earlier than 4 (four) days and no later than 16 (sixteen) days of the receipt of the notice by the civil servant.

### STEP 6: investigate the violation

The disciplinary body (direct supervisor or Disciplinary Committee) is entitled by the regulation to conduct the following actions to properly investigate on its own initiative all the facts and consider all the findings necessary to make the decision:

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- Ask or get declarations from witnesses and verify contradictory facts;
- Review relevant documentation for discrepancies, missing facts, dates or signatures that have been removed, etc.;
- Examine the civil servant file;
- Call in the civil servant to get information about his version of case or of the problem;
- Verify the practices and cases of previous disciplinary proceedings;
- Perform any other action necessary to verify the case.

**In conclusion of the administrative investigation, the disciplinary body must put at the disposal of the civil servant, who is being investigated, all the materials that have been collected during this investigation.**

### STEP 7: hearing procedure

The civil servant shall appear in person or shall appoint a representative under the law.

The claims of the civil servant are presented and filed in the written form. This clarification is needed in the framework of the right to be heard in an administrative procedure (concrete case: disciplinary proceeding) foreseen by DoCM 115/2014, Instruction and CAP.

If after two successive notifications the civil servant or his representative fails to attend, the disciplinary proceeding shall continue in absence. If the civil servant or his representative fails to attend the hearing sessions, the disciplinary body has to notice in writing the absence.

### Step 8: the disciplinary decision (dismissal of the case or applying a disciplinary measure)

The disciplinary body conclude the procedure with:

#### A. dismissal of the case

##### **When?**

- There is no disciplinary violations, as it was alleged;
- It turns out that the civil servant has not committed a violation by intention;
- The action has not been or is not carried out by the relevant civil servant;

#### B. applying a disciplinary measure<sup>32</sup>

##### **When?**

- Withholding up to 1/3 of the remuneration for a period up to 6 months
- Suspension of the right to any type of promotion, including in the salary step, for a period up to 2 (two) years
- Dismissal from the civil service

<sup>32</sup> See the relation between the disciplinary bodies and type of measures applied presented in the next subchapter; See the principles for escalation and individualization of the disciplinary measure



**The final decision of the disciplinary body must contain the following information:**

- The body that has made the decision;
- Identification of the concerned civil servant;
- The imposed measure;
- The actual violation;
- The legislation;
- The reasoning of the decision and explanation of the facts leading to the taken decision;
- Previous cases of similar violations and the disciplinary measures imposed;
- A list and copies of all documents that support the imposed disciplinary measure, if requested by the civil servant subject to the proceeding.

**The disciplinary committee initiates the disciplinary procedures, upon:**

**a)** request of the direct superior of the civil servant;

**b)** recommendation of any other public body or unit with administrative control, financial inspection or audit competencies or of any other official with hierarchic control functions over the civil servant;

**c)** with the initiative of any member of the committee based on any factual indication for an infringement of the duty by a civil servant;

■ **Paragraph 6** of the article 59 also states the possibility that the civil servant is suspended or other appropriate and proportional measure in the case of suspected harm to the disciplinary investigation or the proper performance of the duties by the civil servant. This decision is taken by the Disciplinary Committee.

■ Correlatively, **paragraph 7** of the article 59 grants the right of the civil servant to be notified of the initiation of the proceeding, of the factual alleged breaches and relevant evidences, as well as of the right to inspect the disciplinary file, to be heard and to present evidences, the right to legal assistance and the right of appeal.

The civil servant could also be assisted by a representative of the Trade Union or of the civil servants representatives in the institutions in case he is not a member of a trade union.

■ **Paragraph 8** states that the disciplinary proceedings start without a delay, at the moment the information on the disciplinary offense is received, not later than a 2-year time-limit from when the administrative breach was committed.

**In the case of serious breaches that could result with the dismissal from the civil service the time limit is 8 years.**

The disciplinary sanctions are **registered in the personnel file of the civil servant (paragraph 9)**. See related information at **article 61 below**.

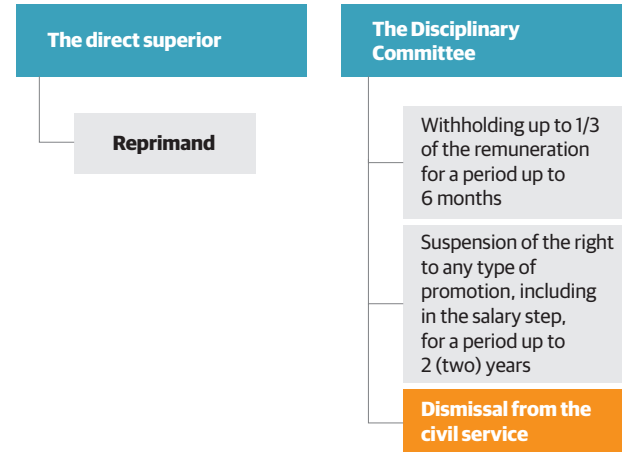
**In the case of a TMC member the Disciplinary Committee initiates the disciplinary procedure, also upon request of DoPA.**

### 5.1.3. Useful management tools and documents

#### The composition of the Disciplinary Committee:

State administration institutions (5 members)	Independent institutions, municipalities and regional councils (5 members)	The communes (3 members)
<p>The highest ranking civil servant of the institution where the concerned civil servant is employed - shall be the chairman of the committee.</p> <p>The direct supervisor of the concerned civil servant.</p> <p>The head of human resources unit of the institution where the civil servant is employed.</p> <p>A representative of DoPA;</p> <p>The most senior civil servant of the institution where the civil servant is employed.</p>	<p>The highest ranking civil servant of that institution;</p> <p>The direct supervisor of the concerned civil servant.</p> <p>The head of the unit responsible for that institution;</p> <p>The most senior civil servant of the institution where the civil servant is employed.</p> <p>The most senior civil servant of the unit where the civil servant is employed.</p>	<p>The highest ranking civil servant of that institution;</p> <p>The head of the unit responsible for that institution;</p> <p>The most senior civil servant of the institution where the civil servant is employed;</p>

#### The relation between the authority and the disciplinary measures applied.



**The Principles for escalation and individualization of the disciplinary measure.**

The applicable disciplinary measure is based on:		
a) the causes, circumstances and seriousness of the breach and its consequences;	b) the type of guilt;	c) the existence of previous disciplinary sanctions not yet deleted in accordance with article 61 of the law 152/2013.

The disciplinary measure is given in the right relation to the offense committed.	
More serious offenses	• Dismissal from civil service
Serious violations	<ul style="list-style-type: none"> <li>• Withholding up to 1/3 of the remuneration for a period up to 6 months.</li> <li>• Suspension of the right to any type of promotion, including in the salary step, for a period up to 2 (two) years.</li> </ul>
Minor violations	• Reprimand

## Chapter Six: The Restructuring Procedures for the State Administration

### 6.1 Context

The state administration institutions are organized according to the principle of hierarchy, based on which the subordinates, in any level, should follow the decision-making chain and communicate with their superiors only through the closest superior in the hierarchy. Starting from this principle, each institution can develop its own structure that has to answer in the most efficient way to the mission and the needs of the citizens.

This is why, the organizational structure of public administration institutions shall be altered in very clear cases, when:

- there are changes to the mission of the institution;
- the functions of the institution have been increased or reduced;
- As a result of the annual analyses carried out, it follows that there must be a different distribution of additional resources for carrying out the functions.

In order to prepare and develop efficient organizations and structures, the public entities should have clear rules and guidance to follow and the same understanding of the institutions, divisions, sub-divisions and the role given to each structure. In the upcoming chapter these concepts are briefly described and the steps required from the institutions are presented.

### 6.1.1. The legal and regulatory framework

- Law no. 90/2012 on the Organization and Functioning of the State Administration;
- Decision no. 893 dated 17.12.2014 on adoption of rules on the organization and functioning of supporting cabinets, internal organization of state administration institutions, and on detailed procedures on the preparation, proposal, consultation and adoption of the internal organization.

## 6.1.2. The main tasks and actors

### Who should prepare and adopt the structures for different public administrations?

The type of institution	Who prepares the documents?	Who approves?	Specific requests?
Prime-minister office	DoPA	Order of the Prime -minister	<p>Consult the Ministry of Finance for all the financial aspects;</p> <p>Prepare the following documents <sup>33</sup>:</p> <ul style="list-style-type: none"> <li>• <i>detailed reasons of the need for changes;</i></li> <li>• <i>an opinion on the financial effects of the required changes;</i></li> <li>• <i>the job descriptions and specific requirements for every new job position, created or affected by the proposal;</i></li> <li>• <i>quantitative analysis for the resources needed to perform certain functions;</i></li> <li>• <i>A report on the effects that restructuring can have on the personnel of the institution, as well as costs of the personnel, and a forecast for the system of the officials, whose positions are affected as a result of restructuring.</i></li> </ul>
State public administration	Do PA based on the proposal of the line ministry	Order of the Prime -minister	<ul style="list-style-type: none"> <li>• Consult the Ministry of Finance for all the financial aspects;</li> <li>• Prepare the documents required by DCM no. 893/2014, art. 33;</li> <li>• The proposing institution has to comply with DoPA's requests and comments.</li> </ul>
The internal organization of the ministries and subordinated institutions, including also their territorial branches	Do PA based on the proposal of the line ministry	Order of the Prime -minister	<ul style="list-style-type: none"> <li>• Consult the Ministry of Finance for all the financial aspects;</li> <li>• Prepare the documents required by DCM no. 893/2014, art. 33;</li> <li>• The proposing institution has to comply with DoPA's requests and comments.</li> </ul>

<sup>33</sup> Decision no. 893 dated 17.12.2014 on adoption of rules on the organization and functioning of supporting cabinets, internal organization of state administration institutions, and on detailed procedures on the preparation, proposal, consultation and adoption of the internal organization., art. 33

Independent institutions	The proposing institution	The Parliament or the head of the independent institutions	<ul style="list-style-type: none"> <li>• Consult DoPA for the entire proposal;</li> <li>• Consult the Ministry of Finance for all the financial aspects;</li> </ul>
The internal organization of the direct service delivery units	The proposing institution	order of the responsible minister	<ul style="list-style-type: none"> <li>• Consult DoPA for the entire proposal;</li> <li>• Consent of the Ministry of Finance for all the financial aspects;</li> </ul>
The internal organization of autonomous agencies	The proposing institution	the body, which is determined in the law on the establishment of the agency	Consultation with the responsible minister for the public administration and with the Prime Minister or with the minister responsible for the supervision.

### The main steps for adopting the structure of a state administration

<b>Step 1</b>	<p>The institution which proposes the change of the structure shall send the following information to the Department of Public Administration <sup>34</sup>:</p> <ul style="list-style-type: none"> <li>• <b>detailed reasons of the need for changes;</b></li> <li>• <b>an opinion on the financial effects of the required changes;</b></li> <li>• <b>the job descriptions and specific requirements for every new job position, created or affected by the proposal;</b></li> <li>• <b>quantitative analysis for the resources needed to perform certain functions;</b></li> <li>• <b>A report on the effects that restructuring can have on the personnel of the institution, as well as costs of the personnel, and a forecast for the system of the officials, whose positions are affected as a result of restructuring.</b></li> </ul> <p><i>The Department of Public Administration shall not examine and shall not prepare any proposal for the Prime Minister, which is not presented in accordance with the requests mentioned above.</i></p>
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<sup>34</sup> In order to prepare the materials mentioned above, the institutions can use the auto diagnosis grid presented in the chapter for job classification and job descriptions

<p><b>Step 2</b></p>	<p><b>Do PA analyses</b> the proposal and the documents sent by the institution and:</p> <ul style="list-style-type: none"> <li>• <b><i>If necessary, asks for additional explanations and details from the institution;</i></b></li> <li>• <b><i>Or, may make comments to the proposal</i></b></li> </ul> <p>The institution is obliged to answer and to provide the required details.</p> <p><i>In the cases where there are opposing positions between the Department of Public Administration and the proposing institution, the latter shall be obliged to consider the comments and suggestions of the Department of Public Administration and, as appropriate, reflect them or argue their non-reflection.</i></p> <p><i>If opposing positions between the two institutions persist, the Secretary General of the Council of Ministers shall organize a joint meeting for coordination of work between the two institutions.</i></p>
<p><b>Step 3</b></p>	<p><b>DoPA prepares</b> the draft order with the new proposal for a structure to be signed by the Prime-Minister, including all the information mentioned at the Step 1.</p>
<p><b>Step 4</b></p>	<p><b>DoPA consult</b> the Ministry of Finance regarding the financial costs of the relevant proposal, in cases where:</p> <ul style="list-style-type: none"> <li>• <b><i>The structure changes are associated with additional financial impact on the approved budget,</i></b></li> <li>• <b><i>The additional effects are covered by the free available funds of the institution,</i></b></li> <li>• <b><i>Or when accompanied by a reduction of budget funds.</i></b></li> </ul>
<p><b>Step 5</b></p>	<p><b>DoPA shall presents to the Prime Minister:</b></p> <ul style="list-style-type: none"> <li>• <b><i>The draft order on the adoption of the structure and organizational chart of the institution,</i></b></li> <li>• <b><i>The relevant report mentioning: the causes and reasons leading to the change; the definition of the objectives envisaged to be reached.</i></b></li> </ul>

<b>Step 6</b>	<p><b>The adoption of the new structure:</b></p> <ul style="list-style-type: none"> <li>• <b>The prime -minister issues an order to approve the new structure.</b></li> </ul>
<b>Step 7</b>	<p><b>The entering into force of the order:</b></p> <p>The ordinance on the adoption of the structure shall enter into force immediately, but shall start to produce financial effects no later than 30 (thirty) days from the date of entry into force, a period in which all actions must be completed for the appointment of existing employees into the new structure.</p> <p><b>! A copy of the ordinance of adoption should be sent to the Ministry of Finance</b></p>

### 6.1.3. Useful management tools and documents

The list of the Institutions and bodies of the state administration

- Office of the Prime Minister;
- Ministries;
- Subordinated institutions to the Prime Minister or to the ministers;
- Direct service delivery units;
- Autonomous agencies; and
- Administration of Prefect.

*Ministries and subordinated institutions may establish territorial branches.*

### The relation between the institutional functions and the levels of the public administration institutions

Institutional functions	Organizational structures
Policy -making functions	The apparatus of the Prime Minister's Office and the ministries.
Regulatory functions	Subordinated institutions shall, as a rule, perform regulatory and service delivery functions, except where otherwise provided by a special law.
Service provision functions	



Horizontal functions	<p>Horizontal functions, which include supporting service functions, finance functions, and internal audit functions, shall, as a rule, be carried out by the ministry or subordinated institution. In cases where the subordinated institution is very small and with limited number of staff, the central body to which such institution is subordinated shall determine who shall perform the horizontal functions. Concerning regional branches, horizontal functions shall be carried out by the ministry or subordinated institution part of which the branch is.</p> <p>14. The dedicated positions for the functions of the supporting services in each institution should not exceed 33% of the overall number of the positions of the institutions.</p> <p>15. If the apparatus of the ministry/central institution provides supporting services to subordinated institutions, then, in determining the ratio of supporting services positions, the number of positions of the subordinated institution or branch shall also be taken into account.</p>
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### The type of structures inside a public administration institution

General secretary	
General directorates	A directorate general within the apparatus of the Prime Minister or line ministries can be established if it consists of at least two directorates.
Directorates	A directorate may be established if it consists of at least two sectors, or at least 5 (five) employees.
Divisions/sectors	<p>A sector can be established as a separate organizational unit when it comprises at least one position of head/chef of sector and two subordinates.</p> <p>A sector can be established even without the position of head/chief of it, if it is in the framework of a directorate and has at least two employees.</p>
Territorial branches	Branches of the ministries shall be managed by the head of the branch. In cases where the branch is organized at the directorate level, the sector shall be the highest organizational unit within it.
Subordinated institutions	At branches of ministries and subordinated institutions, which have a reduced number of staff down to 10 (ten) positions, the internal structure should, as a rule, be flat with only one management position and all the other positions reporting to him/her.

*\*Departments are separate organizational units, which cover an important function only of policy-making and are established only at the Prime Minister's Office, and in other institutions, in cases where they are mentioned in a separate law.*