



This project is financed by  
the EUROPEAN UNION



# CIVIL SERVANT GUIDELINE

Minister for Innovation and Public Administration  
Department of Public Administration

[WWW.DAP.GOV.AL](http://WWW.DAP.GOV.AL)

facebook: DepartamentiAdministratesPublikeDAP  
e-mail: [info@dap.gov.al](mailto:info@dap.gov.al)  
website: [www.dap.gov.al](http://www.dap.gov.al)  
twitter: @Departamenti





# CIVIL SERVANT GUIDELINE

TIRANA, ALBANIA

*This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of the implementing authorities and can in no way be taken to reflect the views of the European Union."*

The author of this guideline is a civil servant participating as an expert in the European twinning project **Support to Albanian Civil Service Reform**, implemented by the French National School of Public Administration (ENA), Italian National School of Public Administration (SNA) and the Department of Public Administration (DoPA): **Mr Paul-Cristian Moldovan**.

The production of this guideline is financed by European Union through the twinning project AL 12 IB OT 01 Support to Albanian Civil Service Reform.

For information about European Union, please visit: <http://ec.europa.eu>.

For information about French National School of Public Administration (ENA), please visit: <http://www.ena.fr/>

For information about Italian National School of Public Administration (SNA), please visit: <http://www.sna.gov.it/>

For more information about the Department of Public Administration (DoPA), please visit: <http://dap.gov.al>

# CONTENTS

ABBREVIATIONS AND ACRONYMS .....	4
FOREWORDS .....	5
WHAT MAKES YOU SPECIAL FOR US .....	6
CHAPTER 1: HOW IS THE ALBANIAN ADMINISTRATION ORGANIZED? .....	7
Who do you relate to in the job? .....	8
The administrative hierarchy .....	8
Institutions with important role in your career as civil servant .....	8
Administrative communication .....	10
CHAPTER 2: HOW DO I BECOME A PERMANENT CIVIL SERVANT? .....	11
The probation period .....	11
The Induction training .....	11
CHAPTER 3: WHAT DOES IT MEAN TO BE A CIVIL SERVANT? .....	12
Public sector employee vs. private sector employee .....	12
Public employee vs. civil servant .....	12
Rights and duties .....	12
Ethics and Integrity .....	14
General Principles of Ethics .....	14
Domains covered by the ethics requirements .....	15
Salary structure .....	15
Your personnel file .....	16
Training options .....	16
Performance Appraisal .....	17
Movement within the civil service - lateral transfer & promotion .....	18
How can you advance in your job? Promotion .....	18
The lateral transfer .....	18
Termination of the civil service .....	19
Working program .....	19
Legal leave .....	19
Professional guidance and counselling .....	19
RESOURCES AT YOUR DISPOSAL .....	20
GLOSSARY .....	22

## ABBREVIATIONS AND ACRONYMS

ACRONYMS	TITLE IN FULL
<b>ASPA</b>	Albanian School of Public Administration
<b>CSL</b>	Civil Service Law
<b>DoCM</b>	Decision of the Council of Ministers
<b>DoPA</b>	Department of Public Administration
<b>EU</b>	European Union
<b>HR</b>	Human Resources
<b>HRM</b>	Human Resources Management
<b>IPA</b>	Instrument for Pre-Accession
<b>IT</b>	Information Technology
<b>JD</b>	Job description
<b>MCQ</b>	Multiple Choice Questions
<b>MS</b>	Member State
<b>MTBP</b>	Medium Term Budget Program
<b>NSDI</b>	National Strategy on Development and Integration 2014-2020
<b>OBL</b>	Organic Budget Law

ACRONYMS	TITLE IN FULL
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>PAR</b>	Public Administration Reform
<b>PF</b>	Public Finance
<b>PFM</b>	Public Finance Management
<b>SAA</b>	Stabilisation and Association Agreement
<b>SIGMA</b>	Support for Improvement in Governance and Management
<b>TAP</b>	Training Action Plan
<b>TNA</b>	Training Needs Analysis
<b>TMC</b>	Top Managerial Corps
<b>ToT</b>	Training of Trainers
<b>UNO</b>	United Nations Organisation
<b>UNDP</b>	United Nations Development Program
<b>UNESCO</b>	United Nations
<b>WHO</b>	World Health Organisation

## FOREWORDS



This booklet was designed with the purpose of providing the new civil servants with main elements about the context as to where the Albanian administration is heading to, general information about the structure and purpose of the administration organization, their rights and duties as civil servants, their career opportunities, integrity and ethics in the public service and other useful information.

We know that, being for the first-time part of a public administration is a complex and challenging step that requires many efforts to reach the expectations.

In order to make this step smoother, DoPA (the Department of Public Administration, responsible for civil service management and monitoring on a national level) can rely on the continuous support provided by the senior civil servants in each institution, who can act as mentors and tutors for new comers, on the trainers from the School of Public Administration and other peer-to-peer activities.

We wish all the new civil servants "good luck" in their career and thank them for participating in this important adventure towards our country's modernization.

*Department of Public Administration*

## WHAT MAKES YOU SPECIAL FOR US



The Albanian Government has set out as its main strategic objective to become a full member of the European Union. This is no easy task and it requires that many reforms take place in all aspects of the Albanian society. Public administration provides *the legal framework and the services* required to foster public performance, to improve access of citizens and businesses to public services, to properly use public funds and to ensure law enforcement.

The designed reforms range from justice to public administration, social services and economic environment for Albanian enterprises. In this process, the Albanian Government bears the essential role of adopting and implementing the legislation and the reform measures for each of the negotiation chapters with the EU.



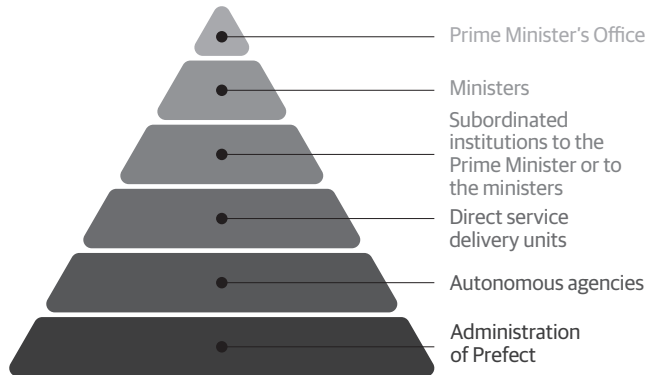
This cannot be achieved if the Albanian public administration is not prepared for the new tasks and responsibilities. While financial and material resources are important, we consider the human resources are a key asset for success. That is why in the last years, we focused on encouraging new attitudes within the civil service by:

- Transforming the recruitment process, on a wider scale;
- Digitalizing the application procedure;
- Making the competition exams more transparent;
- Making the career management for civil service more flexible;
- Stimulating performance;
- Improving the tools needed for an effective work.

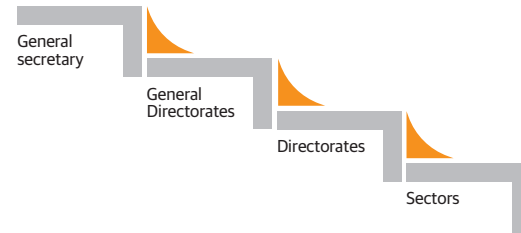
## CHAPTER 1:

### How is the Albanian Administration organized?

Like any other state administration, the Albanian state administration is organized hierarchically, with the Prime Minister heading the executive apparatus composed of ministries and other subordinated bodies, depending on the specialized function they must fulfil.



Usually the internal organization of all these state administration bodies follows this model:



Depending on the level of complexity of the tasks they are assigned, these organizations' structures may be more or less complex, having either all the units starting with the general directorate, or being simpler, in the form of sectors.



## Who do you relate to in the job?

### The administrative hierarchy

According to the general provisions of the law regulating the status of the civil servants working within the central State Administration, Law 152/2013, as amended and other bylaws for its implementation, the civil servants are split into four main categories:

<b>Top-level management</b>
<ul style="list-style-type: none"><li>• General secretaries</li><li>• Directors of departments</li><li>• General directors</li></ul>
<b>Mid-level management</b>
<ul style="list-style-type: none"><li>• Directors of directorates</li></ul>
<b>Low-level management</b>
<ul style="list-style-type: none"><li>• Head of sectors</li></ul>
<b>Executive level</b>
<ul style="list-style-type: none"><li>• Specialists</li></ul>

As a new civil servant, you will be part of a sector or directory where you will have to work with your peer colleagues and to be aware of the hierarchy.

Thus, you will have:

■ Collaboration working relations with: the other specialists and experts from your sector and from other sectors within your institution with whom you will have to work in order to perform your tasks;

■ Subordination working relations with:

- Your supervisor (head of sector);
- The director that coordinates the sector in which you are employed;
- The general director of the directorate (as the general coordinator of the activity within the directorate);
- The general secretary (as the highest ranked civil servant in your institution, coordinating the entire activity of the institution).

### Institutions/employees with an important role in your career as civil servant

There are a few persons or institutions very important for your career as a civil servant, because you will have to either interact with them throughout your public service or be affected by their activity.

#### 1. Your direct supervisor

- Coordinates your overall activity both from a strategic perspective, by establishing your yearly job objectives and performance milestones, as from an operational one, day-to-day, by assessing the way you proceed in executing your tasks as a civil servant. An effective and constructive collaboration with your supervisor is essential for your career progress and positive work atmosphere in your job.

#### 2. The Department of Public Administration (DoPA)

The role of DoPA is to ensure a stable, professional, merit-based civil service as well as moral integrity and political impartiality. DoPA's responsibilities are divided into three main axes:

### Civil Service management in the public administration

- Supervises the implementation of the civil service legislation;
- Assists and advises the institutions in the proper implementation of the law;
- Prepares the annual staffing plan for the state administration institutions;
- Prepares general guidelines and manuals for state administration institutions to guarantee the implementation of the civil service legislation;
- Represents the Government in the negotiations and consultations with the trade unions and representative of civil servants;
- Prepares and supervises the implementation of general state policies on civil service;
- Drafts the primary and secondary legislation on civil service;
- Gives opinions on draft-laws that regulate working relations in the public administration.

### Design and implementation of policies concerning the PA institutions

- Prepares draft-orders for the structure and organigram of state administration institutions;
- Drafts the salary structure of civil servants and employees of public administration, at central and local level;
- Gives opinions on draft-orders regarding the creation of public administration institutions.

### Design and implementation of training policies for civil servants

- Approves and supervises the implementation of the civil service training programs delivered by the Albanian School of Public Administration;
- Develops and adopts the recommendations for civil servants training policies.

Thus, in relation with you, DoPA:

- Oversees your recruitment and appointment in the civil service;
- Supervises the proper management of your civil service career by your institution;
- Follows your career path.

### 3. The Albanian School of Public Administration (ASPAs)

ASPAs is in charge with the organization and development of the training programs for the Public Administration of the Republic of Albania.

Its mission is: ***“to improve the professional capabilities and knowledge of civil servants through trainings, so that each civil servant can contribute in an optimal way for the achievement of the goals of the institution where he/ she is working”.***



Throughout your civil servant career, you will participate in a number of training programs organised by this institution, some of them being mandatory, other originating from your own initiative and the institution's request, as you will discover many attractive courses to help you improve your work performance and develop new skills.

Thus, in relation with you, ASPAs:

- Provides the induction training - mandatory for you to become a permanent civil servant;
- Delivers continuous training based on the strategic and institutions' training needs;
- Certifies the new skills and knowledge gained during your civil servant career.

#### 4. HR department of your institution



Every state administration institution within the Albanian Government has a human resources' management unit. This unit is responsible for the management of the civil servants of the institution, in terms of:

- Keeping track of your civil servant file which includes information on your civil service career (promotions, transfers, training programs);
- Managing administrative tasks (employees' data, legal leaves, sick leaves and other data related to your activity in the institution);
- Supporting the performance appraisal process;
- Supporting the professional development initiatives, available training courses, programing them for all civil servants.
- Maintaining a connection with other relevant institutions (DoPA, ASPA...).

Whenever you need support or information related to your career, you should contact your HR department with trust. You will receive information and guidance that will help you take the best decisions for your career.

#### 5. The Commissioner for the Oversight of the Civil Service (COCS)



COCS is an independent public body responsible for monitoring the legality of the implementation of the civil service legislation.

Upon request of institutions or on its own initiative, the Commissioner oversees law enforcement and civil service management in all institutions that employ civil servants.

Any institution employing civil servants, as well as any public employee and civil servant having competencies in the management of civil service or holding relevant information are obliged to cooperate with the Commissioner.

#### Administrative communication

Given the importance of the matters managed within the public administration, as well as the mandatory legality to all activities related to the public service, most of the administrative communication takes an **official form**, through **formal requests, addresses, inquiries** and other forms regulated by law.

The most common elements for an official communication (written) are:

- The subject - Who is making the request?
- The object of the request - What? (data, information, request);
- The motive - Why?

**Deadlines are set out for** each type of official communication, depending on the subject and the inquirer. Those deadlines range from **3 working days to 12 working days**

**Other forms of formal communication include:**

- **Joint working groups** - for matters spanning over various fields of expertise or joint responsibility
- **Joint working units** - aimed at accomplishing administrative tasks, which require the participation of several institutions.

There are, however, situations when the communication between people, units or organizations takes an **informal form**, like emails, telephone calls, working meetings or consultations.

## CHAPTER 2:

### How do I become a permanent civil servant?

#### The probation period



Any person appointed for the first time in the civil service, in the executive category is subject to a one-year probation period, starting from the date of issue of the act of appointment. This tool is used to assess whether **you are compatible** with the work position where you have been appointed.

During the probation period, you will attend mandatory "induction" training program at ASPA and perform your duties under the supervision / coaching of a senior civil servant who will help you perform your job and provide you with useful information and knowledge.

At the end of the probation period, your direct supervisor in the institution where you have been employed shall take one of the following decisions:



The decision is based on:

- **The results of your individual performance appraisal;**
- **The results of the exam at the end of the mandatory training program at ASPA.**

#### The Compulsory Induction Training

The training Module "Introduction to Public Administration" is part of the obligatory activities that the civil servant carries out during the probation period.

The main aim of this course is to provide basic concepts regarding the organization and functioning of the public administration and the state.

The training will be a module of 10 days and will be covering following topics:

- *Constitution of the Republic of Albania and human rights;*
- *Conflict of Interest and integrity of the civil servant;*
- *Administrative Procedures;*
- *Right to information and "state secret" information;*
- *Civil Servant Law;*
- *Organization and functioning of public administration;*
- *Management Skills;*
- *Managing the process of integration and EU financial assistance;*
- *Written and official communication in the public administration;*
- *Module "Introduction to the EU and SAG" provided through the e-learning platform.*

At the end of the course, the participants are subject to the test regarding the acquired knowledge. The training is considered successful if you receives at least 50% of the points on the test.

## CHAPTER 3: What does it mean to be a civil servant?

### Public sector employee vs. private sector employee

There are a lot of specific differences between the status of a public employee and that of a private employee, but the main differences are related to the source of financing and the functions performed. In the case of the private sector, the aim is reaching the profits for the stakeholders. If we refer to the public sector, the aim is defining standards and offering services for the public.

While a private sector employee is working so as to meet the goals set out by the company in order to reach profits of the shareholders, the public employee's **employer** are the **citizens of Albania**. Public employees work to serve the overall society.



### Public employee vs. civil servant

Even though all public administration employees in Albanian institutions are all working towards meeting the public interest and are paid from the public budget of the state, there are significant differences between civil servants and the rest of public administration employees. Here is why:

Public administration employees	Civil servants
<ul style="list-style-type: none"> <li>• Lower job protection and stability</li> <li>• Limited predictability of the career path</li> </ul>	<ul style="list-style-type: none"> <li>• Status and career strictly regulated by law;</li> <li>• Better job stability and security</li> <li>• Better incentives</li> <li>• Clear career path</li> </ul>

### Rights and duties

As you can see below, your civil servant status grants you several rights that are meant to protect you but also to allow you to perform your job in an optimal way. However, there are duties that you must be mindful of in order to achieve a fair trade with your public employer and to ensure an objective job for the citizens.

These rights and duties are presented below and further detailed in the upcoming sections.

However, if you want to look further into what is presented in this booklet, you will be provided with resources like laws, Council of Ministers' decisions or other relevant sources that will allow an in-depth study of various fields.

Rights
<p>The right to appropriate working conditions and right of protection from the State</p> <p><i>As stated in the Law, the aim is ensuring protection of moral integrity, physical and dignity. The institution that you are working in is obliged to protect you while on duty and even involve other specialized bodies if case arises.</i></p>
<p>The right to fair remuneration and salary structure</p> <p><i>This right is enforced through salary steps established in progressive order, based on:</i></p> <ul style="list-style-type: none"> <li><b>a)</b> the performance appraisal results;</li> <li><b>b)</b> the seniority in the civil service;</li> <li><b>c)</b> Successful conclusion of the mandatory training programs for each salary step.</li> </ul>
<p>The right to strike.</p> <p><i>Be aware that, in fact, there are exceptions meant to ensure the continuity of vital public services like transport, administration of justice, national defence services, emergency medical services and others.</i></p>
<p>The right to join trade unions and professional associations</p> <p><i>Aiming at providing you with the means to protect your rights. You can even compete to be elected in a leadership role in these organizations.</i></p>
<p>Political rights</p> <p><i>You are allowed to participate in political activities but only after office hours. However, if you plan to run as a candidate or be elected as a member of the parliament, you should request suspension from the civil service.</i></p>
<p>Right to professional development</p> <p><i>This provides you with the legal basis needed for you to further develop your professional capacity through training paid by your employer, foreign donors or even yourself. This is also an obligation. Usually, your employer will mostly support your professional development in areas related to your job specificities.</i></p>
<p>Right to consultation</p> <p><i>Or, put in other words, the duty of the State to consult you in respect to legal measures that might affect you as a civil servant.</i></p>

Duties
<p>To respect the Law and vocational training</p> <p><i>By showing professionalism, neutrality and adherence to the Law. Serving public interest should be your main concern. In the same time, improving your professional skills through training and continuous training is a mandatory duty for you as a civil servant.</i></p>
<p>Obligation of accountability and refusal of illegal orders.</p> <p><i>Be aware of the lawfulness of your action while performing your duty in the civil service. While it is important to collaborate, and respect the tasks assigned to you by your superior, an illegal order can and should be refused. Inform the superiors up the chain of command if the case arises and request a written order to execute the task.</i></p>
<p>Obligation of transparency and confidentiality.</p> <p><i>While a good practice within modern administration, allowing for better relations with the stakeholders, this is also an obligation for you to properly inform the large public about the activities your institution is performing. You also must bear in mind, however, that there are limitations to this in the form of classified information or personal data and those related to commercial or professional activities of persons protected by Law.</i></p>
<p>The obligation of good administration of state property and working time.</p> <p><i>You should only use state property assigned to you (computers, materials, for example), as well as your working time, to perform your job.</i></p>
<p>Refrain from expressing political opinions publicly</p> <p><i>Although you have the right to a political opinion or sympathy towards a political body, you do not have the right to express your political convictions or preferences publicly.</i></p>
<p>Conflict of interest.</p> <p><i>You must avoid any conflict between your private interest and the public interest during the exercise of your job. This means that you must not be involved in private activities that you could profitably manage as a public employee.</i></p>

### Rights

Work duration, leaves and holidays.

*You have the established right to a 40 hours working week, 5 days a week and, also, to annual paid leave (holidays) and other paid and non-paid leave (sickness, studies, personal reasons). Be aware however that these instances are clearly defined in the regulations and limited in time.*

Right to information and appeal.

*If administrative or other legal action are taken against/for you, you should be properly and timely informed. You are also entitled to consult the documents issued at these occasions and even to appeal or contest their validity or effects on you.*

### Duties

Duty of declaration of interests and property.

*Following the aspects presented above, you are obliged to inform your superiors in advance of any other profit activity you aim at exercising outside your duty in the civil service and in case of doubts on a possible conflict of interest or situation of incompatibility and seek a specialized opinion.*

## Ethics and Integrity

A job position in the public administration is different than one in the private sector in the sense that while the private sector targets and actively **financial profits** of the shareholders, the public sector's main purpose is to **serve the public interest**.

The set of rules of conduct for public administration employees aims to help them achieve the purpose of public administration and establish standards of behaviour that the employees should have while serving the general public.

These sets of rules were formally adopted by the Government through the **Law No. 9131/2003**<sup>1</sup> and are **mandatory** for all civil servants.

## Domains covered by the ethics requirements

<i>Perform your duties according to the Law;</i>	<i>Act independently from your political viewpoint in a way that does not impede the implementation of policies, decisions or legal actions of authorities of the public administration;</i>
<i>Be honest, impartial, efficient, taking into account only of the public interest when performing your duties;</i>	<i>Be polite in relations with citizens you serve and with superiors, colleagues and subordinates;</i>
<i>Do not act arbitrarily against a person or an organization;</i>	<i>Show appropriate respect for the personal interests and rights of others;</i>
<i>Do not permit your private interests to come in conflict with your public job;</i>	<i>Avoid conflicts of interest and never use your position for your private interest;</i>
<i>Behave in a manner that maintains the trust of the public in honesty, impartiality and efficiency of public service;</i>	<i>Preserve the confidentiality of the information that you possess.</i>

<sup>1</sup> Law No. 9131/2003 on the rules of ethics in the public administration as amended

## Domains covered by the ethics requirements

<p><b>Conflict of Interests</b></p> <ul style="list-style-type: none"> <li>• a situation in which a civil servant has a personal interest that affects/could affect impartiality or objectivity of the job</li> </ul>	<p><b>Out-of-work activities</b></p> <ul style="list-style-type: none"> <li>• Profit or non-profit activities which require the involvement of civil servants outside official duties</li> <li>• Expectations</li> <li>• Trade Union activities</li> <li>• Teaching activities</li> </ul>
<p><b>Gifts and Favors</b></p> <ul style="list-style-type: none"> <li>• ask or accept gifts, favors, receptions or other benefit for himself, his family, relatives or friends, persons or organizations, which affect the impartiality of the performance of duty.</li> <li>• not applicable to the occasion of ordinary invitations, traditional hospitality, gifts of a symbolic or traditional value, of politeness</li> </ul>	<p><b>Abuse of Office</b></p> <ul style="list-style-type: none"> <li>• use or allowance of use of official duty, encouragement or obligation of any other person, including subordinates, to have any financial benefit or any other kind of benefit of a personal interest.</li> </ul>
<p><b>State property</b></p> <ul style="list-style-type: none"> <li>• Do not use public property for any other purpose, except for the performance of the public job or institution.</li> </ul>	<p><b>Time of work</b></p> <ul style="list-style-type: none"> <li>• the use of work hours for the realization of official duties in an objective manner.</li> </ul>
<p><b>Appearance</b></p> <ul style="list-style-type: none"> <li>• The clothing and appearance of the employee should be serious, in order to represent the public administration in the most worthy way.</li> </ul>	

Be aware of a special condition regarding the **period after employment**. In this case, **a civil servant should not use confidential information received during the performance of duty for a personal interest.**

## Salary structure

Wages are a very useful tool in stimulating performance of the employees and the Government acknowledged this fact and actively addressed this by introducing overall reforms of the payment system.

The actual wage system defined in Law no.152/2013, as amended, consists of the following elements:

- a. the basic salary of the category;**
- b. additions to the class relevant to your job position;**
- c. Additions to working conditions.**

Also, for each class of wage should be applied a few steps in ascending order, based on:

- d. seniority in the civil service;**
- e. results of the evaluation work;**
- f. Successful completion of vocational training activities for each step of the salary.**





While most of the elements are established formally through the Council of Minister's Decision, you can actively contribute to your wage level through **the level of performance** that you achieve in your job.

### Your personnel file

Any employer keeps track of his employees, storing data about their competencies, training, professional dynamics and personal information. The public administration is no exception to that. Even more, it has to expand the employee data coverage given the public interest and property covered by its activities.

In this sense, the data about you as a civil servant is stored in two ways:

Your personnel file -physical file (managed by the HR department)	Central Personnel Registry- electronic file (managed by DoPA)
<p>Contains data related to:</p> <ul style="list-style-type: none"> <li>• Technical and professional character;</li> <li>• Disciplinary measures;</li> <li>• The periodic individual performance appraisal;</li> <li>• Other information deemed necessary.</li> </ul> <p><i>The personnel file remains confidential.</i></p>	<p>A unique electronic database, which contains information on active human resources in all f state administration institutions.</p> <p>The database contains the following:</p> <ul style="list-style-type: none"> <li>• Data on the position;</li> <li>• Professional data;</li> <li>• Data on the working relations;</li> <li>• Education,</li> <li>• Recruitment</li> <li>• Training</li> <li>• Wages and salaries,</li> <li>• The content of the personnel file of every employee of the state administration institutions.</li> </ul>

You are responsible for the data you provide to the institution you are working in.

### Training options

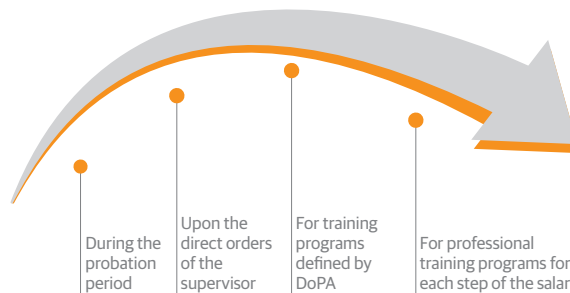
Developing your professional competence and knowledge is **mandatory**, according to the law. It should be, however, among your main preoccupations to develop your skills and, thus, become better and more effective in your job and create proper circumstances for you to progress in the career system.

#### Induction training

As you enter your job as an Albanian civil servant, in order for you to benefit from a proper start in your job, it has been regulated that you have to participate to a so-called induction training - mandatory for your confirmation as a civil servant- held by the Albanian School of Public Administration (ASPA). This course is meant to provide you with the basic information you need about the Government and its mechanisms, information that allows you to further build on as you exercise your job and become more aware of the organizational and operational context you have to operate in.

#### Mandatory continuous training - through ASPA

All civil servants in Albania are subject to mandatory, general and special training provided by ASPA in the following cases:



**There are mainly 3 ways you can address your training needs in the public administration:**

Institutional training	Personal training	Vocational training
<ul style="list-style-type: none"> <li>organised by your employer with certified training providers</li> <li>financed through the public budget</li> <li>covering areas/themes deemed relevant for your job and professional profile.</li> </ul>	<ul style="list-style-type: none"> <li>Undertaken by your initiative, organized by various educational providers</li> <li>covering training needs identified by you personally</li> <li>can benefit from financial or other kind of support from your employer.</li> </ul>	<ul style="list-style-type: none"> <li>organised by you (not mandatory)</li> <li>covering areas not related to your public job</li> <li>supported with personal finance and free time</li> </ul>

In the cases of personal or vocational training you can choose the field, timing and budget. With your own initiative, you can be trained within the country or abroad for a period of up to 1 month to 2 years, but for the task that you perform. During this time, you will be suspended from the civil service.

The training at ASPA is conducted without break from work. During the training the employee receives full salary.

In the framework of institutional training, the civil servant can be also trained abroad for a period of no more than three months.

### Performance Appraisal

The strategic and operational context of the Albanian’s society, embarked on a long process towards EU accession, requires of the public administration and especially its employees to display **a high level of professional competence, adaptability and flexibility**. This means that the civil servants’ core must be able to quickly and effectively adapt to new

developments of the legal and administrative framework and to successfully perform the new tasks.

To do so, the leadership of the institutions has developed over the years a **performance appraisal system** for all civil servants. This system has the following characteristics:

- Is performed every **6 months** of the calendar year
- Is focused on:
  - **objectives set out for each civil servant**
  - **competencies defined for each job category or position**
- Executed by the reporting official, countersigning official and authorizing official

**As seen above, your performance appraisal is focused on two aspects of your activity:**

- **the Objectives** set out at the beginning of the probation period, namely a set of specific and measurable goals to be achieved by the end of the evaluation period.
- **the Competencies employed to achieve the objectives, namely a set of predefined technical, knowledge and/or behavioural skills**

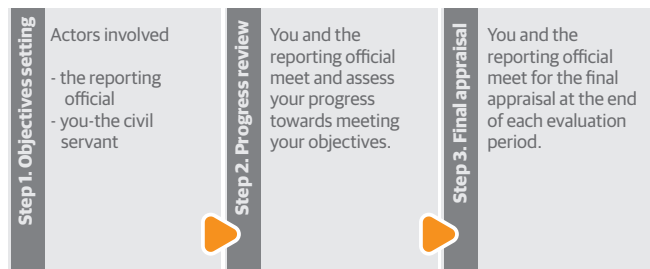
**Main actors of the process:**

- the civil servant
- the reporting official
- the countersigning official
- the authorizing official

### What is the content of their relation concerning the appraisal process?

The civil servant and the reporting official have to negotiate objectives in a realistic and objective manner, as well as throughout the appraisal process in order to ensure an unbiased evaluation.

### What steps are followed in the process?



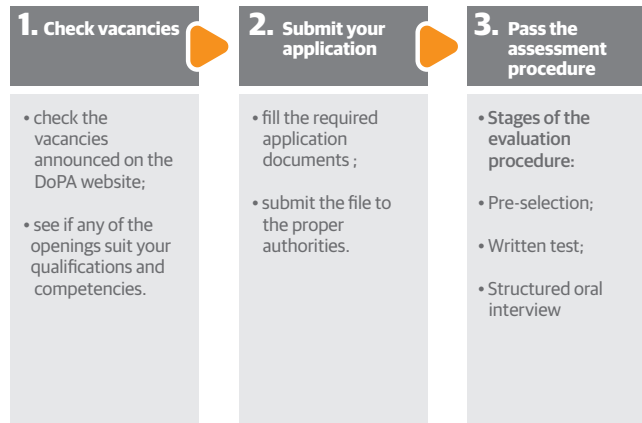
### Important to know!

- *The Human Resources Unit of each institution* provides methodological and administrative support by informing managers of their obligations and deadlines, and provides the appraisal forms;
- *You can disagree with the evaluation* if you feel that you were treated unfairly or unlawfully by the reporting official. In this case, there is a procedure you can follow to oppose the result of the appraisal and be re-evaluated.

### Movement within the civil service - lateral transfer & promotion

Naturally, like in any other private organization, you have the possibility to advance through your professional grade and status or to move within the system either to another job or to another institution. In the case of a promotion, this will also involve changes in your wage level, as well as your responsibilities and performance expectancies.

### How can you advance in your career? Promotion



### The lateral transfer

This procedure is different from the promotion process, because it does not involve the written test phase, as you can see below.



## Termination of the civil service

There are basically two ways in which your employment relationship with the civil service can end.

Resignation	Release
<ul style="list-style-type: none"><li>• you unilaterally decide to end your employment</li><li>• you submit a request to leave</li><li>• you usually have to wait for 30 days of notice to pass</li></ul>	<ul style="list-style-type: none"><li>• Release from the civil service is due to:<ul style="list-style-type: none"><li>• disciplinary reasons</li><li>• loss of citizenship</li><li>• court order for criminal offense</li><li>• you are consistently in a conflict of interest</li><li>• you fulfil the age for retirement</li><li>• your appointment ends in accordance with the law</li><li>• for lack of performance, after two negative appraisals.</li></ul></li></ul>

## Working program

The normal working time is **40** hours/week for **5 days** a week.

There will be times when your employer will require you to work overtime or during weekends or official holidays for important or urgent matters. However, you have the legal right to compensate for the extra hours with a leave.

## Legal leave



**The annual leave** - 4 calendar weeks during the on-going working year. The annual leave does not include official holidays.

**Marriage/death of the spouse /cohabitant, direct ancestors or descendants of him/her** - entitled to 5 days of paid leave.



**Maternity leave - 63 leave days** related to childbirth, followed by other benefits like daily free time or other compensations. The spouse / cohabitant benefits of a 3 days paid leave.

**Serious illness of family members, cohabitant, direct predecessors or descendants, certified by a medical report, or other personal reasons** - not more than 30 days of unpaid leave.

## Professional guidance and counselling



Whenever you encounter work issues outside your appointed tasks or outside your job qualifications, you can always turn to specialized units or colleagues for guidance and advise. Depending on your place of work, specialized work domains can relate to:

- Financial management and accountability – the financial department/unit.
- Legal acts, contracts, legislation – legal department/legal units.
- Employment aspects and regulation – HR department or HR experts.
- Environmental issues – specialized departments or organizations.



There are cases when the most appropriate advisers are outside your employer organization. In these cases, you must follow the official and perhaps informal communication protocols, depending on the matter at hand. This may include official requests for advice or simple emails to departments or persons.

## RESOURCES AT YOUR DISPOSAL

For further information regarding the elements of your job in the public administration, please find below a list of legal documents detailing the information presented in the previous sections of this booklet:

1. The Law n° 152/ 2013 "On the civil servant" as amended by the Law n°178/2014;
2. Law no. 9131 dated 8.09.2003 "On the rules of ethics in the public administration";
3. Law no. 90/2012 "On the organization and functioning of the state administration";
4. DoCM no. 511/2002 "On the working hours and the annual leaves" with amendments;
5. DoCM no° 108/ 2014 "On the annual recruitment plan to civil service";
6. 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";
7. DoCM no. 243/.2015 "On admission, lateral transfer, probation period and appointment to the executive level";
8. DoCM no. 242/2015 "On filling the vacancies in low and middle management level";
9. 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;
10. DoCM no.115/ 2014 "On defining the disciplinary proceedings and rules of establishing, composition and decision-making of the disciplinary committee of the civil service";
11. DoCM no. 109, dated February 26, 2014 on the performance appraisal of civil servants, as amended;
12. DoCM nr. 893 dated 17.12.2014 "On adoption of rules on the organisation 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";
13. DoCM no. 187 dated 08.03.2017 "On the approval of the structure and salary levels of the employees, civil servant officials, the deputy ministers and cabinet officials of the prime minister office, line ministries, president administration, parliament, the central election commission, general prosecutor office, some independent institutions, institutions under the council of ministers/ prime minister office, institutions under the line ministries and prefect administration";
14. DoCM no. 124/2016 "on the suspension and dismissal from the civil service"
15. DoCM no. 125, dated 17.02.2016 "On the provisional and permanent transfer of civil servants"

16. DoCM no. 117 "On the keeping, the procedure and the management of the personnel files and central personnel registry

17. DoCM no. 1037, date 16.12. 2015 "On the procedures of evaluating civil servants on acquiring and updating additional knowledge"

18. Guideline no. 6/2014 "On the process of recruitment and appointment of civil servants of top management level, members of the TMC

19. Guideline no. 2 dated 27.03/2015 "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"

20. Guideline no. 1 dated 2.4.2014 "On main procedural and material elements of handling and reviewing the disciplinary violations"

## GLOSSARY

<b>ADMINISTRATIVE INVESTIGATION</b>	A regulated process in which the disciplinary body conducts an inquiry of the facts concerning a certain violation or misconduct.	<b>JOB DESCRIPTION</b>	A summary of the mission, introducing general purpose, main duties and responsibilities of the given job position, as well as minimal criteria required.
<b>ADMISSION</b>	The structured and regulated process of entering in the civil service.	<b>KNOWLEDGE</b>	A set of knowledge/information that applies directly to the performance of the duties of the job position.
<b>AUTHORIZING OFFICIAL</b>	The civil servant who directly oversees the countersigning official in line of the organization hierarchy.	<b>LATERAL TRANSFER</b>	Transfer from one job position to another within the same category in the civil service.
<b>COMPETENCY FRAMEWORK</b>	The structure of competencies related to knowledge, skills and character that which form the basis of criteria for selection of successful candidates.	<b>LOW-LEVEL MANAGEMENT</b>	Civil servants that are heads of divisions/sectors and the equivalent and are responsible for the supervision and coordination of the administrative tasks.
<b>CONTINUOUS TRAINING</b>	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.	<b>MIDDLE-LEVEL MANAGEMENT</b>	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.
<b>COUNTERSIGNING OFFICIAL</b>	It is the official who directly supervises in the line of the organizational hierarchy, the reporting official.	<b>MOBILITY</b>	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.
<b>DISCIPLINARY MEASURES</b>	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.	<b>PERFORMANCE APPRAISAL</b>	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.
<b>EXECUTIVE/ EXPERT LEVEL</b>	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.	<b>PROBATION PERIOD</b>	The period a civil servant is first employed in an executive-level position within the civil service is called probation 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 servant of the same or upper category.
<b>INITIAL/ INDUCTION TRAINING</b>	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.		

<b>PROMOTION</b>	The process of advancing to a higher position within the civil service.
<b>SKILL</b>	The capacity to perform one or several observable actions, the outcome of which is a measurable or visible output.
<b>SPECIAL/ SPECIFIC REQUIREMENTS</b>	A list of requirements which are part of the job description that make the difference between the general and specific job description.
<b>STATE ADMINISTRATION INSTITUTIONS</b>	Office of the Prime Minister, ministries, subordinated institutions to the Prime Minister or to the ministers, direct service delivery units, autonomous agencies and Prefect administration.
<b>SUSPENSION</b>	Temporary interruption of the civil service relationship. It results from reasons provided in the civil service legislation and upon the request of the civil servant.
<b>TOP-LEVEL MANAGEMENT (TMC):</b>	The highest job position in the public administration which includes Secretary Generals or Department Director or heads of institutions subordinated to the Prime Minister/line ministers. Secretary General of the regional councils, municipalities, communes / Director of General Directorate in the Prime Minister's Office, line ministries, independent institutions established by law, heads of institutions subordinated to the Prime Minister or line ministers. They are responsible for drafting and providing advice on the implementation the policies.



[WWW.DARGOV.AL](http://WWW.DARGOV.AL)

