



■ WeBER Indicator Summary

AREA: PUBLIC SERVICE AND HUMAN RESOURCE
MANAGEMENT

KOSOVO

- **Author: Group for Legal and Political Studies**
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PAR Area	Public Service and Human Resource Management	Country	KOSOVO
SIGMA Principle	2: The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service		

WeBER Indicator	3PSHRM_P2_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime
Indicator approach	
<p><i>This indicator assesses the scope and use of temporary forms of employment in the civil service as a deviation from the standard civil service regime that is legally regulated and subject to specific merit-based criteria. Its measurement combines legislative analysis, collection and analysis of government data with the results of a survey of civil servants, which is conducted in each country and cuts across the HRM principles and indicators. Experts and consultants hired and paid from external (technical assistance) projects or contracted through public procurement procedures (consultancy work) are not covered by this indicator. Also, general service employees, as a category stipulated by the public (civil) service legislation, are not covered by this indicator. It should be noted that for the survey of civil servants it is not possible to create a random or representative sample, as in most countries the researchers do not have access to a database of contacts of all civil servants (moreover, in most countries such databases do not exist). In order to boost the response rate and maximise representativeness, the research team seeks and relies on support of the ministries/offices who act as project associates, to widely distribute the online anonymous survey. Where such support cannot be ensured, the survey is disseminated in a decentralised manner (i.e. by contacting and requesting dissemination from individual ministries and other administration authorities).</i></p>	
Summary of the findings	
<p><i>According to SIGMA assessment report of 2017, Law on Civic Service provides for temporary vacancies to be covered through the so-called Special Service Agreements (SSA) for periods of up to six months. Such contracts are often used to fill regular civil service functions without any recruitment procedure, for longer periods than those established in the Law. This is becoming a common practice in public institutions: in 2016, of the total staff hired in these institutions, (56%) were through special Service Agreements, and 645 (44%) through regular recruitment. This is also supported by the results from civil servant survey, where only 19.2% of surveyed civil servant either "agreed" or "strongly agreed" that hiring of individuals on a temporary basis (on fixed-term, service and other temporary contracts) is an exception in my institution.</i></p> <p><i>The IOB also reported several cases of civil servants being appointed to acting positions for periods longer than three months, in contravention with the law. This indicates that the legal framework does not specify a limit regarding the number of temporary engagements, therefore no points were allocated. Much to the akin, no specific criteria related to temporary engagements of experts in the administration are provided in the Law. Although the law does not limit the number of temporary engagement and does not define specific criteria, it does limit fixed-term appointments to up to 6 months under the contracts called Special Service Agreements which are regulated by the Law on Obligations.</i></p> <p><i>On the other hand, the hiring procedures for individuals engaged on temporary contracts follow the same practices of transparency and openness as regular hiring procedures in the civil services. As such, information with regard to the vacancy announcement, requirements/competences, job description, remuneration, selection procedures, deadline for submission and clear information to be submitted are available in the public competition announcement across all sampled institutions, namely, Ministry of Infrastructure, Ministry of European Integration, Office of Prime Minister, and Tax Administration. However, the majority of civil servant show reluctance when it comes to the application of formal rules during hiring procedures, with 41.7% declaring that formal rules for hiring people on a temporary basis are applied "often" or "always" in practice. To that</i></p>	

extent, only 21.4% of civil servants believe that when people are hired on a temporary basis, they are so based on qualification and skills. In addition, the majority of civil servants believe that these temporary engagement contracts usually get extended to more than one year, with only 19% of surveyed civil servants thinking the other way around, and that these individuals perform tasks which should normally be performed by civil servants and eventually go on to become civil servant in their institutions, with again only 20% and 22.6%, respectively, believing the contrary. The indication that employment through temporary basis contract is such a common practice is also supported by the representatives of CSOs during the focus group.

Specific observations

Survey of civil servants was administered through anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). N=427 respondents

Indicator score	9 (out of 28 points)
Final indicator value	1 (scale 0-5) ¹
Measurement period	Survey of Civil Servants: April 3 rd – April 25 th , 2018 Research: June-July 2018

¹ Conversion of points: 0-4 points = 0; 5-9 points = 1; 10-14 points = 2; 15-19 points = 3; 20-24 points = 4; 25-28 points = 5