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The employment policy of local government employees in Poland

Polityka zatrudnienia pracowników samorządowych w Polsce

Abstract

In the recruitment of local government employees, the basic criterion is primarily qualifications, but also knowledge, skills, general abilities and predispositions. The process of employment policy of employees in local government units is extremely important for this sector to function properly: to pursue its objectives and be effective in its actions. The increasing importance of employees in local government administration units is also influenced by increasing social expectations. The process of capturing employees of local government units is complicated process and consists of many stages. The aim of the article is to show the mechanisms of employing and selecting local government employees. The article is a preliminary analysis of the process of employment policy of local government employees.

Keywords

employee, remuneration, seniority, public administration, office, law

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Introduction

The society of a given country is the addressee of public administration actions. In Poland, unfortunately, there is widespread criticism of this economic sector, people often complain about the inefficiency of public administration. On the other hand, despite numerous criticisms, most people want and use the services which are offered by the public administration.

A well-functioning public administration means that public affairs are effectively managed, properly prepared and competent employees of the administration sector ensure high efficiency of their actions.

Streszczenie

W rekrutacji pracowników samorządowych podstawowym kryterium są przede wszystkim kwalifikacje, ale także wiedza, umiejętności, zdolności ogólne i predyspozycje. Proces polityki zatrudnienia pracowników w jednostkach samorządu terytorialnego jest niezwykle ważny dla prawidłowego funkcjonowania tego sektora: realizacji jego celów i efektywnego działania. Wpływ na wzrost znaczenia pracowników w jednostkach administracji samorządowej mają również coraz większe oczekiwania społeczne. Proces pozyskiwania pracowników jednostek samorządu terytorialnego jest procesem skomplikowanym i składa się z wielu etapów. Celem artykułu jest ukazanie mechanizmów zatrudniania i selekcji pracowników samorządowych. Artykuł jest wstępną analizą procesu polityki zatrudnienia pracowników samorządowych.

Słowa kluczowe

pracownik, wynagrodzenie, staż pracy, administracja publiczna, biuro, prawo

After analyzing the failures of public sector reforms and administration, we will see a huge role in filling positions in this sector by professional, experienced and educated people in this field. Of course, the structure of public administration is also important, however, in this paper, we will focus on the people who act as officials and public servants of the state administration sector.

Hiring the right people for this job is a priority. The better the public servant (employee), the better the efficiency of the administration system and vice versa — incompetent people who do not have the skills and

knowledge required for a given position — the lower the level of societal assessment regarding the administration sector in Poland. In order to assemble a highly qualified team representing the administration sector, it is necessary to carefully select candidates and properly recruit the employees. Further on, after selecting the most competent and suitable people for a given position, an appropriate motivation system should be created. When a certain group of candidates was recruited in the selection process, the next step is to decide which of them will actually be employed. The purpose of this selection process is to obtain information from candidates that will allow predicting how they can perform in the proposed position and then recruit the most promising candidates. It is important to try to improve the coordination of administration actions.

To this end, it is necessary to specify what elements this organization consists of as a whole and establish the basic rules of its organization, but also guidelines for further disaggregating public administration, which will result in establishing relationships between its individual elements. At the same time, this requires the existence of some common features for the entire administration as well as consideration of diversity in the organizations that make up it. Employees of administrative-office positions are mainly employees whose work is of an intellectual nature. Such positions can be found in many different public and private sector entities. The structure of the public sector is not uniform, however, apart from the typical administration, there are also such bodies as: judicial and legislative. When preparing to look for the first job, the person must first identify his/her talents, abilities, skills and strengths, because these are important factors that make up the individual professional success. The proper definition of the strengths will allow to determine what work will really suit the person, and its performance will be a source of satisfaction. Looking for a job in the public administration sector seems easy because the person can search for job offers on the websites of offices and internet portals. However, there is a lot of competition at every step. Therefore, it must be remembered that good preparation and a wide area of professional interests are very important because it will allow to find suitable employment much faster.

Legal conditions for the selection of employees in public administration

In the recruitment of public administration employees, the basic criterion for selection will be primarily qualifications, but also knowledge, skills, general abilities and predispositions. As for civil servants, the appropriate competencies as detailed in the job description will also be needed. The legislator requires both professional and reliable civil servants from both employees and civil servants and politically neutral performance of state tasks (Jagielski & Rączka, 2010). The employment relationship with officials is established by nomination, and with persons in senior civil service positions by appointment. Nevertheless, these persons are part of the civil service

corps and as mentioned above, they are officials in the general, proper sense of the term.

While civil servants and senior civil servants also occupy clerical positions. These terminological inconsistencies have been criticized in the literature.

As J. Stelina (2010) emphasizes, "the terminology used by the legislator is highly misleading, because it may lead to the conclusion that there are differences in the legal status of civil service corps members who are not supported by the regulations of the commented act. The terms 'employee' and 'official' suggest that 'civil servants' are not officials and 'civil servants' do not have employee status (and are, for example, service officials). Such a conclusion would clearly be unauthorized. Both groups, being part of the civil service corps, have at the same time the status of employees within the meaning of labor law (because they remain in employment relations), as well as all are officials because only persons employed in civil servants are subject to the Civil Service Act. Therefore, both 'civil service employees' and 'civil service officials' within the meaning of the commented Act are employees and officials" (Baran, 2014, p. 54).

The legal status of local government employees has been regulated in the Act of November 21, 2008 on local government employees (Journal of Laws of 2019, item 1282), which has been in force since January 1, 2009. It is already the second law on local government employees passed in III The Republic of Poland. It replaced the act of March 22, 1990 on local government employees (Journal of Laws of 2001, item 1593, as amended).

The currently binding act is not exhaustive, and the provisions of the Labor Code, as well as self-governmental system laws, the Election Code and the anti-corruption act apply to local government employees. On the other hand, local government employees are not a homogeneous group. They are employed on the basis of an election, an appointment and an employment contract, and their status varies depending on the basis of their employment (Czarnecki, Reda- Ciszowska & Surdykowska, 2020, pp. 45–46).

The open model is based on the experience of commercial organizations. Its main goal is to select competent employees for whom several organizations in the labor market compete. As a result, there are no separate legal regulations on how to negotiate the amount of remuneration and their increase depends on the results achieved in the work. The amount of remuneration is not decisively influenced by job seniority, but the value of the workplace and tasks performed by employees are determined (Mróz, 2004, p. 746). Actions taken to recruit employees are defined by law in order to ensure openness and make recruitment competitive, for example, the necessity to inform about ongoing recruitment processes is indicated. When talking about civil service administration, the law can be a factor that hinders an employee's promotion to higher positions. This is due to the requirement to organize open competitions, which are a feature of the open model. At the same time, specific recruitment procedures, such as, for example, inclusion in the laws of information on the

need to draw up reports or detailed regulations issued, which regulate individual stages and the course of such a competition, limit the flexibility of the actions carried out, which is a feature of the closed model (Ibid.).

The closed model differs from the open model. In the closed model may be promotion systems regulated by laws. In the open model regulations of this type do not exist, or legal solutions are adopted that apply to each employee regardless of the sector of the economy (Ibid.).

In summary, different management models result from differences in the functioning of public administration. The closed model is the equivalent of rational bureaucracy, it can also be called a "career system". Open, however, is the equivalent of a pragmatic administration, the so-called "position system" (Ibid.).

Based on the table presented earlier, a few more things can be added. As for the selection of employees, in the closed model recruitment is carried out only for low positions. The higher ones are filled by internal promotion by current employees. With such a promotion, new diplomas or certificates obtained in the meantime are taken into account, as already mentioned a few sentences ago. There are strict procedures in recruitment, there is an adaptation to a new job, through implementation in specific issues and tasks. Only then is it allowed to be carried out by a specific person in a given position (Knosala, 2004, pp. 81–89).

Salary systems are different in both types of models: the career system is regulated by laws and depends also on age, seniority or experience. This contributes to pressure on the employment guarantee, and less importance is attached to the implementation of the tasks assigned and the efficiency of the work performed. In the open model, attention is paid to the experience of commercial organizations, and the main goal is to select the right employees (Baron & Armstrong, 2008, p. 33).

The conclusions drawn so far allow to indicate areas where the use of both knowledge, as well as practice and experience in the field of management, can give the expected results. Problems that limit the development of administration can also be identified. All collected management achievements, especially human resource management, can help in:

- ensuring proper coordination of all administration actions (i.e. as a whole), but also in its individual formations,
- indicating real ways of operating public administration,
- ensuring security and stability, but also flexibility in public administration actions,
- improving the image of public administration in the eyes of citizens,
- ensuring efficiency in the operation of employees and working teams in the public administration sector (Ibid., pp. 33–34).

Extricating from the above-mentioned problems will significantly affect the quality of services to a positive manner, the speed of action will also increase, despite the simultaneous reduction of costs in the functioning of the administration sector.

Undoubtedly, the main task that public administration has to perform is to ensure the stability of the state's actions. Looking at it from a human resource management perspective, the level of security at which the administration operates in the country is easy to determine and is a response to the challenges of flexibility. In other words, the same methods of operation can be used both to ensure security and increase flexibility in the operation of an organization. By increasing the professionalism of administrative sector employees, both the efficiency of their services and the overall image of the state will improve (Kulesza, 2004, pp. 37–46).

Enterprise and public administration are two quite different sectors of the economy. This does not mean that completely new concepts on similar topics need to be created. The basis is to adapt the instruments developed so far for enterprises so that they can also be used in the public administration sector (Trocki, 2004, pp. 15–21).

All changes leading to the improvement of administration consist mainly in the improvement of the actions of its employees and their organization of work for a longer period. In order to improve the functioning of the sector, it is necessary to develop rules for the division of responsibility between superior and subordinate units, in the entire management team. It is also necessary to determine the level of centralization and decentralization of the system or the scope of influence of central units on local ones. This has a significant impact on determining the rules of cooperation between various institutions that are part of the administration (Ibid., pp. 20–22).

The consequence of using the employee basis for employment in local government units is that in matters not regulated by the provisions of local government pragmatics, the provisions of the Labor Code and other labor law acts are applied, and then by Article 300 Labor Code — provisions of the civil code (Stelina, 2015, p. 416).

By virtue of rational premises, it is possible to determine the mutual influence among each of the organizations located in the middle of public administration and to determine their mutual relations.

Legal regulations concerning positions in public administration

In this part, the analysis of qualification requirements needed in recruitment for specific positions in public administration sectors will be carried out. Typically, these requirements are at a fairly high level, which particularly applies to education.

A civil servant is a person employed in a public administration office on the basis of appointment in accordance with the principles set out in the Act of November 21, 2008 on the civil service. Civil servants are also known as appointed officials. Applications to enter the qualification procedure in a given year shall be submitted in the period between January 1 and May 31 of that year. The proceedings are conducted here by the

National School of Public Administration. The appointment is made by the Head of Civil Service on behalf of the Republic of Poland. A local government employee, in turn, is a person employed in the communal (municipal) office, powiat as well as units that are subordinated to the local administration on the basis of an employment contract, election or appointment, in the light of the provisions of the Act of November 21, 2008 on local government employees.

Pursuant to the abovementioned and binding provisions (Act of November 21, 2008 on the civil service) appointed to the Civil Service may be an individual who:

- is a Civil Service employee;
- can prove duration of employment with the Civil Service of at least three years or has obtained a consent of the Director General of the Office for entering the qualification procedure before the end of the said period, however not earlier than after two years from establishing the employment relationship in the Civil Service;
- holds an MA degree (or its equivalent);
- knows at least one foreign language from among the working languages of the European Union or one of the following foreign languages: Arab, Belorussian, Chinese, Icelandic, Japanese, Norwegian, Russian, Ukrainian;
- is a reservist soldier or is not covered by the general defense duty.

The employee's compliance with these conditions is confirmed by the Director General of the competent Office.

A self-government employee who is employed in a managerial position may be a person who:

- is Polish citizenship,
- has full legal capacity and holds full public rights,
- has the professional qualifications necessary to perform a specific job,
- has not been penalized for committing a wilful offense or a wilful fiscal offense,
- enjoys an impeccable reputation,
- has at least three years of service or performed for at least 3 years of business activity in accordance with the requirements of the given position,
- has higher education.

A self-government employee employed in a clerical position is also subject to performance reviews, which are carried out by an immediate superior. A performance review mainly covers the employee's compliance with the obligations arising from the scope of activities in the occupied position and is prepared at least once every two years (Ibid.).

The Civil Service Act introduces the principle according to which the employment of employees in offices covered by its provisions takes place after recruitment for the civil service. The only exception to this rule is Article 2 clause 3 of the Act on Civil Service. Pursuant to it, clerical positions in offices may also be occupied by persons who are delegated pursuant to separate regulations to perform tasks outside the organizational unit in which they are employed. This regulation applies in particular to officers of the

Government Protection Bureau, the Internal Security Agency, the Intelligence Agency, Prison Service, Border Guard, Police and judges and prosecutors.

The provisions of the designed new act were aimed at expanding the number of people who may occupy clerical positions in the civil service, in particular, due to their qualifications and professional preparation obtained in state or local government administration offices.

The draft bill proposes regulations aimed at:

1) introduction to the Act of March 22, 1990 on Local Government Employees (Journal of Laws of 2001 No. 142, item 1593, as amended) modification of regulations specifying the rules for the transfer of local government employees, consisting of:

a) enabling the transfer of appointed local government employees, both for a limited and permanent period, not only to another local government employer but also to offices within the meaning of Article 2 of the Act of December 18, 1998 on the Civil Service (Journal of Laws of 1999 No. 49, item 483, as amended),

b) enabling the transfer to other local government employers and offices within the meaning of the Civil Service Act of local government employees employed under an employment contract,

2) introduction to the Act of December 23, 1994 on the Supreme Audit Office (Journal of Laws of 2001 No. 85, item 937, as amended) regulations enabling the transfer of employees of the Supreme Audit Office supervising or performing control activities and employed in administrative or servicing positions to offices within the meaning of Article 2 of the Civil Service Act.

At the same time, the proposed amendment to Article 2 clause 3 of the Civil Service Act made it possible to occupy clerical positions in the offices covered by the provisions of the Civil Service Act both on the basis of delegation and on the basis of a transfer.

The introduction of this regulation was necessary because the provisions in force to date did not regulate the possibility of transferring to the civil service persons who were not members of the civil service corps employed in public administration offices.

This regulation also made it possible for civil servants to be employed in posted persons or transferred pursuant to separate provisions. However, a transfer is possible when the special interests of the civil service are supported. This clarification was intended to limit the free movement of workers. This means that the director general of the office to which the employee would be transferred, will have to show that this is justified by the special interest of the civil service, and thus the request for transfer will be possible when the proper implementation of the basic tasks of the given office is at risk, which requires staff support from outside.

In the new provision of Article 2 clause 3 of the Civil Service Act, it is also envisaged that the transfer to the civil service should take place on the basis of the provisions regulating the principles and procedure of transfer contained in the acts defining the legal status of a given group of employees.

Pursuant to the designed provisions regarding the Act on local government employees, the transfer will take place at the request or with the consent of the employee, while the transfer of an employee to the Supreme Audit Office with his consent will be carried out by the President of the Supreme Audit Office at the request of the director general of the office. The transfer of a self-government employee may be made by the general director (head of the office) in which the employee is to be employed, in consultation with the current employer (Kulesza, 2004, pp. 45–48).

The transferred employee will become a new employee at the given employer, and therefore will be entitled to benefits due to the employees of the office to which he was transferred. An employee of the Supreme Audit Office is granted unpaid leave for the period of transfer.

In the case of transferring a local government employee, the employment relationship with the current employer, depending on the wishes of the employee and his employer, it will be dissolved or the employee will remain on unpaid leave while he is in the civil service position. In the case of unpaid leave granted pursuant to Article 174 of the Labor Code, the period of unpaid leave will be included in the period of work on which employee rights at the current employer depend (Ibid.).

Solutions introduced in this way will allow flexible and rational personnel policy in public administration because it is correlated with the regulation contained in Article 55 of the Civil Service Act, in which can be read that in cases justified by the public interest, the Head of Civil Service grants the civil servant, at his request, unpaid leave for the duration of activities, occupying a specific position or performing functions outside the civil service (Ibid., pp. 46–49). Therefore, the person can look for work in this profession as an official of public administration, divided into:

- ☐ self-government (local) — city and other commune offices, district starosties, marshal offices, self-government appeal courts,
- ☐ government (central and local) in the civil service — e.g. ministries and some numerous central offices, voivodship offices, tax offices, some services, inspections and guards,
- ☐ state — some bodies not covered by the civil service system, e.g. the Chancellery of the President, the Sejm, the Senate, the Supreme Court, the Office of the Constitutional Tribunal, the Ombudsman for Children,
- ☐ in foreign service — e.g. embassies, consulates,
- ☐ in other organizational units (local government, government or state) in a few clerical positions, and in any case less numerous than in typical offices, e.g. schools and other educational institutions, universities, research institutes, libraries, museums and cultural institutions, archives,
- ☐ in some administrative positions in the administration of courts and public prosecution offices.

When talking about clerical work, it must be remembered that an employment "in office" is not the

same as employment "in position", which comes from the selection or appointment, e.g. of a commune head, mayor, president, staroste, voivodship marshal, voivode, councilor, chairman of the council or regional council, deputy, senator, judge, prosecutor, court referendary, lay judge, etc.

Like any other work, this one also has its advantages and disadvantages. The disadvantages include primarily:

- ☐ sedentary work,
 - ☐ increased susceptibility to vision defects,
 - ☐ a specific way of working according to legal regulations and established procedures,
 - ☐ huge legal liability (disciplinary, financial, criminal or fiscal),
 - ☐ frequent contact with politics in the workplace,
 - ☐ frequent noticing nepotism, familiarity,
 - ☐ contact with corruption,
 - ☐ self-interest of customers and superiors,
 - ☐ being a witness of breaking the law.
- As the advantages, the employees mention:
- ☐ employment stability,
 - ☐ compliance with labor law by superiors,
 - ☐ stable salary,
 - ☐ additional privileges (bonuses, rewards, thirteenth salaries, social benefits),
 - ☐ fixed working hours,
 - ☐ promotion and development opportunities.

Often unfair opinions are issued that in order to get a job in an office the person needs to have the right friends, family or money, and competitions for a given position in public administration are simply arranged. This is very stereotypical thinking, but it has its source in a limited number of full-time jobs, low staff turnover and associated with the fact that it is difficult for young beginners to find a job without experience.

The employment of employees in clerical positions is regulated by relevant legal provisions. Recruitment for a given position is usually open, free and competitive, and information about vacancies must be published for at least 10 days on the Public Information Bulletin (BIP) website.

Offices cannot employ anyone without prior recruitment if they want to act in accordance with the law. Therefore, offers that are made outside the advertisement cannot be taken into consideration.

Recruitment process and recruitment requirements

The definition of the recruitment term has a dual meaning when it comes to the human resource management process. In broad terms, they are defined as the entire process of acquiring people who will work in a given position. In a narrow approach, it is an action that aims to interest as many people as possible for a given position in the job offer and to choose among them the one that best meets all criteria (Ibid., p. 115). There is a point of view that recruitment is of wide importance, as it covers not only the procedures

existing to recruit new officials, which consist of recruitment and selection but also related to the adaptation of new employees.

So the definition of recruitment is not clear. According to T. Listwan (2010), recruitment is a way of communication between the company and the labor market and its goal is to collect the right number of candidates who can fill the staff gap.

Another researcher M. Dale, believes that recruitment is an activity that is intended to encourage appropriately educated and experienced people to fulfill their work according to widely accepted standards prevailing in a given sector (Dale, 2001, p. 63).

Management literature also proposes a statement that defines the recruitment process through a search system and encouraging potential candidates who have the appropriate skills and specific personality traits sought by a given office for a given position (Bieniok, 2006, p. 50).

It can, therefore, be said that the authors trying to define this concept pay attention to various factors, depending on their priorities: competences, potential, appropriate organization, paying attention to the office's goals and others.

Other sources provide such a definition that the purpose of recruitment is to acquire from the center of the organization or from its environment an adequate number of qualified employees filling current or future job vacancies (Bieniok, 2006, p. 51).

The ultimate goal of the recruitment procedure is to interest as many as possible suitable candidates with the desired characteristics and skills in the vacant position, while discouraging those candidates who do not meet the basic selection criteria. Recruitment correctly fulfills its task, if the activities that are carried out during it will allow to reach the right candidates, convince them to accept the job offer and thus ensure the supply of qualified employees (Janowska, 2002, p. 68).

A properly and effectively conducted recruitment process is an introduction to the second stage: selection, i.e. selection of one of the many offers from candidates for a given position. Selection begins when there are at least two potential candidates for one position.

As in the case of defining the concept of recruitment, it can be seen in the literature on the subject with several definitions of this term. The most popular is the one that says that selection is a certain set of actions that leads to the selection according to predetermined criteria of a person who will be filled for a specific position in the office (Listwan, 2010, p. 123). Another selection definition shows that it is a process of strict segregation of information, thanks to which the best candidate for a vacant position is selected (Walkowiak, 2007, p. 45). There is also a statement that selection is a process in which the committee assess the suitability of candidates and select one of them. The one who best meets the requirements of the job position for which he/she applies and the expectations of his supervisor (Król & Ludwicyński, 2006, p. 208).

When conducting selection, the office realizes two important goals: the production goal and the social goal. The production goal is to choose the right candidate for the position that meets all the requirements of the professional profile for the job, but also has features that indicate his/her desire to develop further and focus on success (Dale, 2001, p. 95).

The basic task of selection is to determine the likelihood of obtaining appropriate competences for the organization and obtaining the expected results at the workplace by the candidate. Since the degree of probability never reaches 100%, determining its critical level is very important to reduce unnecessary costs and time consuming of the most complex selection methods (Juchnowicz, 2007, p. 151). The entire selection procedure must, therefore, be adapted to the actual needs and capabilities of the institution and the nature of the job.

Returning to the recruitment process itself, it can be divided into two types due to its scope: general and segmental. General (broad) recruitment is recruitment consisting of targeting employment offers in such a way that reaches a wide labor market. Segmental (or specialized), however, is directed to a specific segment on the labor market, so the employer is looking for a specific group of potential candidates for employees with relevant characteristics, qualifications and skills (Pocztowski, 2007, p. 74).

Considering the sources of recruitment of people applying for the job, the recruitment is divided into internal and external. The first one relates to the search for a suitable candidate for a job in a vacant position in the organization, and the second type of recruitment is looking for a candidate for a vacant job outside the organizational structure (Ibid.).

Recruitment also has several functions. One of them is the information function, which is characterized by informing future candidates about the needs, possibilities and conditions of employment in a given position at the office. The second function is the motivational function, and its goal is to gain interest and willingness to work in a vacant position. As mentioned before, recruitment is also a preliminary type of selection (preselection), determining the conditions and requirements for entering a position in a given administrative sector, which may reject in advance those candidates who do not meet the requirements for the selected job (Listwan, 2010, p. 84).

When it comes to the private sector, there are often various forms of recruitment, and the selection of each of them is free and flexibly adapted to the economic or organizational possibilities in a given enterprise. As forms of recruitment can be mentioned:

- employee references,
- spontaneous applications,
- outdoor advertisements,
- school recruitment,
- contacts with industry associations,
- environmental agencies and trade unions,
- employment agencies,

- personnel consulting companies,
- job exchanges,
- open and other days.

In the case of recruitment carried out for clerical and management positions in local government units, is based on the norms that regulate the provisions of the Act on Local Government Employees, so they are based mainly on four basic principles: publicity, competitiveness, openness, equal access to public positions. It should be emphasized here that these principles influence each other. Open and competitive recruitment, together with the principle of publicity, correlates with the right of equal access to public service. Recruitment of candidates for vacant clerical positions, including managerial positions, is open and competitive. The recruitment of candidates for clerical positions in units is organized by the heads of these units. On the other hand, the recruitment of candidates for vacant positions of unit managers, with the exception of the marshal's office, powiat starosta, commune office or union office, is organized respectively by the voivodship marshal, starosta, commune head (mayor, city president) or chairman of the union board.

The principle of open recruitment consists in the fact that all interested parties may, without any prior conditions, declare their willingness to work and proceed to the qualification procedure. Formal guarantees, which secure the implementation of this principle, are contained in the provisions of the Act on Local Government Employees. First, placing a vacancy notice in the Public Information Bulletin within the meaning of the Act of September 6, 2001 on Access to Public Information, as well as on the information board in the unit in which recruitment is carried out.

Another guarantee of compliance with this rule is the requirement that the deadline for submitting documents is not less than 10 days from the date of publication of the announcement about recruitment in the Public Information Bulletin. Such an obligation is to ensure that potential candidates become acquainted with the requirements and to prepare for the next stages of recruitment. The implementation of the principle of open recruitment is also manifested in the obligation to disseminate the list of candidates in the Public Information Bulletin, i.e. persons who meet the formal requirements set out in the vacancy notice and in the obligation to disseminate information on the result of the recruitment in BIP and for at least 3 months on the information board of the recruiting organization. It is also worth paying attention to the fact that the legislator has not introduced any limit on the number of people who can register their participation in the recruitment process. As a consequence, everyone is willing to apply for work in local government administration.

Another principle regarding the recruitment process is the principle of competitiveness. It assumes that the most talented and best-prepared candidates will find

employment in the service, who, when confronted with other candidates, will be more suited to the conditions. In the assumption of the legislator, employed persons should demonstrate the highest level of qualifications and professionalism and professional experience bypassing the "criteria" associated with family, business, social or political connections. The guarantee of compliance with the principle of competitiveness should include, in particular, the lack of any limit of persons who can register their participation in the recruitment — the formal evidence of compliance with this principle is the recruitment report. The recruitment organizer is obliged in this protocol to explain the choice, indicate the best candidates, additionally ranking them according to their compliance with the requirements specified in the vacancy notice. This report is public so it should be available at the request of the person concerned. The legal guarantee of the implementation of the principle of competitiveness is also the obligation to disseminate information on the result of the recruitment in the Public Information Bulletin and for a minimum of 3 months on the information board of the unit organizing the recruitment.

Another principle related to recruitment is the principle of equal access to public service, guaranteed in Article 60 of the Polish Constitution, which provides that: "Polish citizens enjoying full public rights shall have a right of access to the public service based on the principle of equality." The content of this rule, however, means only the possibility for Polish citizens enjoying full public rights for employment according to the same regulations, without differentiating the rules and requirements for any persons or groups — but it does not mean that every person who meets the conditions has a legal basis for a claim for employment. The provision of Article 60 of the Polish Constitution does not mean, therefore, that every person must be admitted to the public service on their application, but according to this provision, it is for the state to determine the number of posts in the public service and the conditions required to obtain them. The Act must specify objective criteria for the selection of candidates for this service and regulate the recruitment rules and procedure in such a way as to ensure compliance with the principle of equal opportunities for all candidates, without any discrimination or unjustified restrictions. This does not deprive public authorities of the possibility of establishing detailed conditions of access to a particular service because of its type and nature.

The principle of public disclosure is also a principle that is of great importance to the recruitment process. It is connected with creating the possibility of reaching information about the recruitment — also about its course and "effects" — to a wide range of interested parties, in other words, making it public. The principle is implemented through a number of provisions within the framework of the recruitment procedure, such as the

provisions regarding the vacancy notice, the publicity of candidates list, or the results of the recruitment.

Conclusion

Recruitment and selection of employees are some of the most important elements of the existence of both a public and state organization. In the recruitment process, it is very important to precisely define the conditions and competences of the candidates for the position in order

to be able to select the right candidates. Recruitment is the process of searching for candidates, reviewing the applicant's credentials, checking potential employees and selecting employees for the organization.

In the case of public administration, this is a much more demanding process, since the selection of the right person is often subject to public assessment. Appropriate preparation of the management team and showing greater flexibility in relation to the candidates will allow to recruit qualified employees who will perform their duties properly.

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Dr Ewa Jakubiak, doktor w dziedzinie nauk społecznych, w dyscyplinie nauki o bezpieczeństwie. Adiunkt w Akademii Nauk Stosowanych Łomży, Katedra Nauk Prawnych. Mediator wpisany na listę mediatorów stałych dla obszaru właściwości Sądu Okręgowego w Łomży.

Mgr Anna Karwowska, nauczyciel w Zespole Szkół Akademicznych przy Wyższej Szkole Agrobiznesu w Łomży.