

LEGISLATIVE REGULATION OF PUBLIC SERVICE RELATIONS IN UKRAINE AND OTHER EUROPEAN COUNTRIES: A COMPARATIVE ASPECT

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INTRODUCTION

The establishment of Ukraine as a sovereign, independent and democratic state makes it possible to constantly improve the efficiency of the civil service system. Today, no developed legal country can do without the functioning of a well-functioning, highly professional public service, which will contribute to the approval of Ukraine's innovative model of economic and social development, increasing the efficiency of the use of the intellectual potential of the country, all its human and natural resources. Successful implementation of state political, social and economic tasks depends on how well it will be organized in the state, how competent, conscientious and professional the official duties of civil servants will be performed.

The development of the constitutional foundations of civil service in Ukraine is connected with the adoption of laws and other normative acts regulating the entire spectrum of public relations in our state on the creation of organizational, social, economic and legal conditions for the realization of the right of citizens to civil service, the definition of priority areas in this activity, a systematic approach to the creation of legislation that should constitute the institution of civil service, the range of public bodies and officials who have the right to regulate.

The works of V.B. Averyanov, G.V. Atamanchuk, V.D. Bakumenko, M.M. Bilinskaya, Yu. Drozda, A.P. Zapadinchuk, A.Y. Obolensky, Y.Y. Kizilov, V.K. Mayboroda, V.M. Soroko, V.M. Ryzhikh, V.P. Tymoshchuk; the legal basis for public service can be traced in the works of N.G. Nizhnyk, S.D. Dubenko; the theoretical foundations of the career were studied by I.G. Suray and V.B. Vizirov. However, despite the presence of scientific developments of these scientists, as well as taking into account significant changes in domestic legislation, the problem of personnel policy of the civil service in Ukraine in the context of its adaptation to the existing European models remains very relevant today.

Today, according to Y.P. Bityak: "The problems of increasing the prestige of public service, reducing the dependence of civil servants on the political situation in the country remain unresolved until the end ... overcoming the insufficient level of professionalism and legal culture of employees, the imperfection of the personnel training system. It is also important that the state, each agency, its structural subdivision have a clear idea of the number of specialists in the perspective of their development for their training in certain professions".

Ukraine, continuing its strategic course on joining the European community, should study and, if necessary, implement the standards of legal regulation of personnel policy in the civil service, which are generally accepted in Europe, taking into account national traditions, as the construction of a modern law-governed state is our main domestic political priority. It is the civil service that should ensure the legitimacy of political decisions that are made; the integrity of the state as an institution; and the implementation and observance of the Constitution of Ukraine.

M. Kanavets notes in this regard that the legislation should establish a system of public service, which provides for equal access to public service and the right of public servants to promotion in accordance with the principle of equal opportunity and approach to appointment and work, as defined in the ILO Convention of 27.06.1978 № 151 "On the protection of the right to organize and the procedures for determining the conditions of employment in the public service».

In addition, an extremely complex problem and an urgent task, A. Zapadinchuk emphasizes, is the systematization of legislation on public service, which will reduce the role of those legislative acts that are purely declarative in nature, do not affect the processes taking place in the public service as a whole, and in the process its passage, in particular, does not meet the requirements, and also that the codification of legislation on public service will allow to unite new and systematize existing norms, to overcome contradictions and inconsistencies between it and release the regulatory framework of the outdated rules and will promote consistency of legal acts, development of the civil service and improve the efficiency of administrative reform laws. This lawyer believes that at the present stage, to further reform the public service, improve its passage, it is advisable to develop a Civil Service Code.

Now in the legislation of Ukraine the civil service and its passage are regulated by the Constitution of Ukraine, laws, decrees of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine and other public

authorities. The basic requirements for improving the quality of civil service in the context of administrative reform are set out in the Concept of Administrative Reform and have been implemented in the current Act "On civil service". Among the main ones are: the updated classification of public bodies and public positions; competitiveness, objectivity, transparency, and transparency in the recruitment and promotion of civil servants; legal protection, political neutrality; motivation, stimulation, encouragement of civil servants; responsibility of civil servants; improvement of personnel management.

In order to effectively implement the new model of civil service and the Law of Ukraine dated December 10, 2015 № 889-VIII "On Civil Service" by the National Agency of Civil Service (hereinafter – the Transfer) in cooperation with international experts, in particular with experts of the SIGMA program, the adoption of all by-laws defined by this law, among which is ensured: Regulations on the Commission on the Supreme Corps of the Civil Service, the procedure for holding a competition for public service positions, standard requirements for persons applying for public service positions of category "A", the procedure for determining special requirements for persons who apply for public service positions of category "B" and "C", the procedure for certification of persons applying for entry into the civil service in the state language of fluency in the state language, the standard procedure for holding the fathers In June 2016, the Commission for the Supreme Corps of the Civil Service began its work.

As we can see, the new Law of Ukraine "On Civil Service" to a certain extent has resolved the issue of professional development of the public administration, the formation of a qualitatively new corps of civil service. The Law of Ukraine "On Civil Service" 2015 also had a significant impact on the legal status of civil servants, establishing new requirements for entry into the civil service, their rights, and limitations. This Law, continues his thought Y. Kizilov, provides for the modernization of the civil service, a significant change in its system, the development of new mechanisms and a new procedure for the passage of public service and requires their regulatory and legal regulation

We would like to note that the process of Ukraine's European integration is accompanied by the approximation of Ukraine's government institutions to the EU standards, which, in turn, highlights the need to study the experience of civil service in other countries. The following principles are the basis for reforming and modernizing the civil service, as

well as improving its performance in most countries: democratization of public administration and public service; orientation to the average citizen, who, as a client of public services, is a consumer of public services; orientation to the end result; profitability of management.

Given the fact that in most countries of the world civil service reform began in the 70-80s of the last century and today they have some positive experience, we consider it appropriate in this study, to improve the existing mechanisms of civil service in Ukraine, to analyze the European experience in legislative regulation of civil service, to carry out a comparative aspect with the legislation of Ukraine, and provide suggestions on the possibility of its implementation in domestic legislation.

Public servants in most countries include both officials and technical support personnel involved in the exercise of public authority, as well as employees, including teachers in public educational institutions, workers in public enterprises and public utilities. Broadly speaking, "civil servants" or "public sector employees" are defined as any person who is paid from the federal, state or local government budget. In some countries, public servants make up the majority of agents employed by public authorities, in others, they make up only a small proportion of the staff of public authorities. This can be explained by fundamental differences in the concepts of public service, developed taking into account historical traditions, political, economic and social conditions under which the reforms took place. Therefore, the concept of a public servant is not identical in different countries.

According to paragraph 2 of art 1 of the Law of Ukraine "On Civil Service", "a civil servant is a citizen of Ukraine, who holds the post of civil service in a body of state power, other state body, its apparatus (secretariat), receives wages from the state budget and carries out the powers established for this post, directly related to the performance of tasks and functions of such a state body, as well as adheres to the principles of civil service".

There are four types of state posts in Ukraine: a) political positions; b) administrative positions; c) judicial positions; d) patronage positions. Of these four types of public positions, only administrative positions confer the status of a public servant on the person who performs it

1. The main principles and models that form the basis for the organization and functioning of the public service

Today, taking into account the reform of public service in accordance with European standards, it is important to begin the analysis of legislative regulation from the basic principles that are the basis for the organization and functioning of public service in the countries of the European Union, which are common to all EU member states, regardless of the characteristics of their national systems and determine the standards of civil service in the EU countries. These include reliability and predictability; openness and transparency; a responsibility; effectiveness and efficiency. It should be noted that civil servants, in the process of serving, are legally obliged to adhere to these principles, provided by independent control bodies, the justice system and comprehensive control by parliament .

Article 4 of the current Law of Ukraine "On Civil Service" provides that civil service is carried out in compliance with the following principles: rule of law, legality, professionalism, patriotism, virtue, efficiency, ensuring equal access to public service, political impartiality, transparency, stability.

As we can see, there are certain similarities between the principles of civil service of Ukraine and those of the European Union countries.

As for the models of public service, unfortunately, there is no unambiguous view among jurists today. Thus, some scientists believe that in European countries there are three main models of public service: career service (France, Germany, Denmark, Spain, Bulgaria, Cyprus, Romania, Slovakia, Slovenia), official service (Sweden, the Netherlands, Estonia) and mixed service (Italy, UK, Latvia, Lithuania, Malta, Poland, Hungary, Czech Republic). However, it should be noted that in practice, in pure form, none of these European countries today have a particular model of public service, as each of the dominant models has elements of the other.

V. Grinenko divides modern models of public service into:

a) open (or official) – the Anglo-Saxon model of public service – a relatively decentralized open model, which is implemented in the UK, USA (staff mobility and competitiveness, personnel selection system based on free access based on university a diploma and an independent competition in the form of interviews or examinations (written, oral), wages are determined mainly by the results of the work of an official, fairly strict control by civil society);

b) closed (or career) – a civil service model inherent in the countries of continental Europe (Germany, France, Japan. It is characterized by a hierarchical system of personnel selection; elite features in the system of training senior managers; high social status; wages are set depending on the position and seniority in public service).

V. Bakumenko distinguishes between four models:

1) Centralized closed model in unitary state conditions (French Republic);

2) a relatively decentralized and closed model in the context of federalism (Federal Republic of Germany);

3) A relatively decentralized open model in a unitary state (United Kingdom of Great Britain and Northern Ireland);

4) Decentralized open model in a federalist environment (United States of America).

Other lawyers define three dominant models: English (provides for a combination of business and public administration), German (the basis of training is legal education, complemented by training and education in the system of professional development for civil servants at the secondary and lower levels) and French (provides for a public-centralized system of training of a small, highly qualified elite, which is provided by the National School of Public Administration)¹.

D. Bossart and K. Demmke celebrate the existence of a mixed model. Their position is that only the countries themselves can determine the appropriateness and purposes of special legislation on public service and its organization, that is, the fact that they wish to establish a public service, demonstrates its necessity since no State can function without public administration.

Thus, we can conclude that it is practically impossible to classify Ukraine into any specific system by a certain criterion. In our opinion, the model of professional development of civil servants in Ukraine should be defined as a mixed one, as it consists of elements of continental, open and official models.

2. Features of the public service in some European countries

The standard for the organization and implementation of public service relations and public service is the *French* civil service, the legal

¹ Конституции зарубежных государств / под ред. Н. А. Крашенинниковой, О. А. Жидкова. М.: Норма, 2011. 624 с.

basis for the training of civil servants is the General Statute of the civil service. Civil servants in a given country have the right to join political parties and to stand for election without resigning from office. It should be noted that the civil service organization of the country combines the system of recruitment (persons working on an hourly basis and under contract) and the system of career (officials who work in the civil service on a permanent basis. They are divided into categories "A", "B", "C", "D").

For comparison, Article 6 of the current Law of Ukraine provides for the division of civil servants into three categories: "A", "B", "C".

Public servants in *Germany* include persons employed in the public administration system (officials, employees, workers). Officials, employees, and workers are differentiated according to the criterion of performing management functions. Their legal status is determined by the nature of their relationship with the state and is expressed in the order of employment, service, remuneration for it, the rights and obligations imposed on them. Germany is characterized by three types of legal status, which differ in the level of legal protection and the scope of functional duties of a civil servant: 1) preparatory service – subject to successful passing of the employee is allowed to draw up a "career exam"; 2) testing service – appointments to the post. Enhanced legal protection, which makes it impossible to release a civil servant without the circumstances provided for by law; (3) Public service itself – lifelong appointment of civil servants who at the time of appointment have reached the age of 27. This status is characterized by a high level of legal security and is, in essence, a public-law relationship.

This three-stage system of public service guarantees the involvement of the staff itself, as well as the full readiness of such employees to perform their duties. Also, this procedure guarantees the involvement in public service of persons who are interested in their careers in this area. In our opinion, this positive experience can be implemented in the legislation of Ukraine.

It should be noted that in Germany there is no institution of personnel reserve, here an appropriate career structure has been developed, which ensures the promotion of all specialists worthy of this promotion. The specific career direction is determined by the rules of the career structure, examination, and education.

In *Italy*, there is a clear distinction between public servants and employees of public institutions. They are divided into permanent (personnel) and temporary (employees by agreement). The Italian public service includes diplomats, prefects, police officers, and speakers, who hold

senior management positions in public administrations at the public level. Political and bureaucratic positions are also separated. In particular, ministers, deputy ministers, and their advisers are political posts, and therefore the change of government leads to the dismissal of these categories of employees. Somewhat below the hierarchical structure, there is a category of civil servants who are not related to the political situation, so their position does not depend on the change of representation in power. They are dismissed from their posts when serious offenses have been committed.

As far as employees of public agencies are concerned, they are considered to be civil servants only formally, since their official activity is largely determined by collective agreements concluded between agencies and trade unions. It should be noted that employees (officials) are divided into administrators, specialists, executives, auxiliary and special staffs.

In *Poland*, the peculiarities of the civil service are that the civil service corps includes only those positions that are under the authority of the Prime Minister. For example, ministers, state secretaries, alternates, governors and their deputies belong to the political sphere and are not included in the civil service. The Public Service Corps is divided into two categories: public service employees working based on an employment contract and public servants working on the basis of appointment. Staff members who have entered the civil service for the first time must complete a preparatory service, the period of which does not exceed 4 months and ends with an examination.

In Hungary, there are five categories of civil servants (public agents): civil servants, employees, workers, and a very heterogeneous fourth category, the status of which is defined by separate normative documents. Civil servants are persons entrusted with the functions of management, decision-making, development, and implementation of particularly important documents or tasks within the public administration, as listed in the appendix to the law. This staff represents only 12% of the total number of civil servants.

In Ukraine, in comparison with other countries, civil servants are only those who work in public authorities and perform the functions of the state.

The principle of equal opportunities and approaches to employment is provided for in the International Labour Organization Convention of 1958. On discrimination (section "Recruitment and employment"). It should be noted that the Joint ILO Public Service Committee attaches particular importance to the application of this principle in all matters relating to recruitment, training and career development in the public

service. This principle has been confirmed by most European countries in their constitutions, laws, and regulations. The principle of equal access is also enshrined in the Constitution of Ukraine.

3. Selection of candidates for public service

Let's briefly analyze the selection of candidates for public service. Competitive appointments are the main means of filling vacant posts. The independence and impartiality of the competition committee is the key to fair competition for a vacant position in a state body. The most independent, according to legal scholars, are competitive commissions of the Anglo-American legal system (Great Britain, Ireland).

A competitive commission, which holds a competition for vacant positions, independent of candidates, political power and heads of services, which offers vacant positions for filling. The highest collegial bodies (councils, commissions) for civil service issues are established for the selection of senior civil servants.

The competition procedure in European countries has the following stages:

1. Public announcement of the next call for proposals for certain posts.
2. Contest of documents (selection of candidates meeting the established and announced requirements according to the submitted documents).
3. Conducting an exam.
4. Deciding on a recommendation for certain positions.

Establishing the results of the tests is the prerogative of the competition commissions, which select: up to three persons (Poland); one or more candidates (Estonia, Latvia) draw up a list of applicants in order of the places they took during the competition (Czech Republic).

The actual tender process varies considerably not only from country to country but also from one service to another. Competitive procedures in the EU countries are classified by:

- 1) by the degree of admission of candidates:
 - Opened (specific to countries belonging to the post system). Public servants are appointed on the terms of a fixed-term contract. They are promoted through a new competition or at the discretion of the authorities and managers, but in any case, there is no automatic promotion;
 - Closed (typical of countries belonging to the career system). Only a person with the status of an employee or a preparatory service can be a candidate. In countries belonging to the career system, holding a

permanent position means virtually indefinite employment, provided that the function is performed successfully;

– Mixed (some posts may be claimed by any person, including those outside the public service, and some posts may be claimed in the case of existing public service experience;

2) by stages of the career (preparatory service (practice), an appointment to the permanent public service position, promotion);

3) legal consequences (only the right to take up a public service post, the right to take up a particular post, the content of the competitive procedure);

4) on the content (contests: based on documents (education, experience, available characteristics); mixed contests (contain elements of both the above-mentioned procedures).

In Germany, for example, to be eligible for a permanent position in the apparatus, candidates must draw up two state exams before an independent jury of university officials and professors. The interview is crucial for the appointment. In Austria, the procedure has three stages: (a) public announcements of vacancies with requirements for candidates; (b) written exams; and (c) interviews. Written exams and interviews are common in the UK. In France, written anonymous examinations are held first, followed by oral examinations (assessing the general culture of the candidates, their specialized knowledge and their ability to express themselves logically). In the United States of America, there are two main forms of selection for public positions: open (for competitive positions) and closed (for so-called foreign service, forestry, and postal services, special services, police, health care). The examination takes place in three stages: general intellectual preparedness, the ability to clearly express thoughts in English by writing a short work on a certain topic, professional and functional suitability. Only then will the interview and special situation tasks be carried out.

In Hungary, civil service selection is carried out through interviews (publication of vacant positions, the holding of competitions is not provided for by law). By the way, according to lawyers, Hungary is the only country that has made an attempt to raise the civil service to the world standards and has prepared the basis for taking into account the training in a promotion.

In our opinion, the experience of Canada, where the best candidate is selected not automatically but meets the conditions (requirements) of the position, is quite effective.

Thus, summing up that the main purpose of legal regulation of competitive procedures is to minimize the influence of subjective factors on the choice of the most worthy candidates for civil service positions.

It is worth noting that according to paragraphs 1, 2 of Article 22 of the Law of Ukraine "On Civil Service", civil servants are appointed to the post only on a competitive basis. The competition is conducted taking into account the level of professional competence, personal qualities, and achievements of candidates for the vacant position. Competitions, as in European countries, are divided into open and closed (paragraph 4 of the Act provides that public service positions related to state secrets, mobilization training, defense, and national security may be held in a closed competition).

To ensure transparency in the organization of the competitive selection process for civil service positions, Ukraine has created a web portal for civil service vacancies ([https : // career.Gov.Ua](https://career.Gov.Ua)). Information on the announcement of competitions for vacant positions in the civil service and the results of the competitions is posted on the website (www.nads.gov.ua). In order to ensure the determination of the optimal number of civil servants, taking into account the functions and organizational structure of public administration bodies, optimization of the number of employees of public administration bodies in 2016 in the test mode was launched the portal of automated data collection regarding the quantitative composition of civil servants (ksds.nads.gov.ua).

4. Advanced training of civil servants

One of the best in Europe is considered to be the *French* management training system. Despite the number of institutions and decision-making centers in the field of training, the French system of training for public servants is holistic rather than costly and quite effective. Among its positive aspects is a well-balanced understanding of the tasks, in particular: decentralization and territorial organization of public services, communication, in-depth knowledge and understanding of the need for cooperation with the institutions of the European Community, high-quality human resources management and orientation to environmentally friendly innovations. Among the disadvantages, which, in principle, are inherent in all closed systems, are the low level of mobility, which is compensated by a high social status and a rigid mechanism of progressive wages, which, as a consequence, sometimes leads to a decrease in the level of communication and basic social benchmarks.

M. Minenko refers to the main forms of advanced training of civil servants in France: 1) improvement measures aimed at maintaining or improving professional qualities, ensuring the fitness of employees to changes in technology and administrative structures, cultural, economic and social changes and the transformations that arise from them; 2) preparations for competitions organized for public servants who already hold a position for professional exams and competitions whose purpose is to change the rank of corps; 3) leave, the maximum duration of which is three years, but it can be divided and provided only for training with the consent of the state, provided that the agent has worked for at least three years in the administration. An employee who took advantage of such leave agrees to remain in the public service for a period three times the amount for which he received previous payments. In France, civil servants do not spend their own money on advanced training, also, they receive cash compensation for expenses and relocation. The financing of various continuing education activities is entrusted to ministries.

The *German* continuing education system also applies to closed systems. It includes both national structures (Federal Academy of Public Administration, Ministry of the Interior, Federal Higher School of Public Administration and Academy of the German Civil Servants' Union) and the relevant state higher education institutions. At the regional level, advanced training is provided mainly by training institutes.

The advantages of the German management training system are the clear balance between theoretical knowledge and practical skills that a public servant receives during training. At the same time, a significant drawback is the orientation of the system of education to the legal orientation: if a candidate for the position of the highest category has no legal education, within two years he is retrained in special educational institutions in the direction of "lawyer".

There are two groups of further education forms in Germany:

- The first (ensuring the appropriate level of qualification of the employee is mandatory for all professionals recruited)
- The second (adaptive) one, which involves training (adaptation) of employees to changes, i.e. training is aimed at maintaining or upgrading the skills acquired and providing the necessary knowledge for qualified work.

More than 190 training programs in this area have been developed to effectively upgrade the skills of *United States* civil servants.

In *Poland*, an important element of the professional training system is trainings: central training is planned, organized and managed by the head of the civil service; general trainings – by the office of the General Directors; training on individual professional development programs for the members of the civil service corps are coordinated by the office of the General Directors in coordination with the member of the civil service corps and work in this office; specialized training is organized by the office of the General Directors and are conditioned

The National School of Public Administration in Poland is a key institution in the system of professional training of civil servants with an interdisciplinary training program. Graduates are automatically admitted to the civil service and also have the opportunity to choose a position from among those envisaged by the Prime Minister for graduates. The National School of Public Administration is engaged in the professional development of persons already working in public administration authorities. The training courses are addressed to carefully selected groups of trainees. KSAP organizes various seminars and training courses, which include learning a foreign language, studying legislation, international and European relations, economics, etc.

In Ukraine, the level of professional competence of civil servants is promoted during service, and professional development is carried out at least once every three years. All this is done at the expense of the state budget and other sources, not prohibited by law, in educational institutions, institutions, organizations, regardless of the form of ownership, which are entitled to provide educational services, including abroad. Scientific and methodical support is provided by the National Academy of Public Administration under the President of Ukraine – a higher education institution with special training conditions, determined by the Cabinet of Ministers of Ukraine (Art. 48).

CONCLUSIONS

An analysis of the legal regulation of civil service in Ukraine, today, indicates that the current state of the legislation of Ukraine on public service, despite a significant number of regulatory acts governing work in this direction, is not completed, but needs constant updating, development new mechanisms and a new order of civil service and, accordingly, requires their settlement in accordance with the current Law of Ukraine "On civil service".

States such as France and Poland may be the most promising for learning and borrowing good practices. Formation of a hierarchical

system of personnel selection, their high moral and ethical level with a high social status and continuous professional development from the moment of setting the goal – to become a civil servant – until the end of a career with a single centralized policy-making system, with the quick training of the lowest-level specialists with highly specialized skills and a verified system of elite training of highly qualified specialists who will be able to work effectively on responsible position x, will create a powerful foundation for the institution of public service with sufficiently flexible functional capabilities in the field and a sufficient level of decentralization.

The positive experience of Germany, in particular, the existence of a preparatory service institute, is a prerequisite for theoretical and practical preparation for staying in all positions, which are typical for that professional direction, he chose to implement in the national legislation as well. It is advisable to borrow from English practice to check candidates' compliance with job requirements. This is the responsibility of a special independent body, the Commission. The Administration may only appoint candidates who hold a commission certificate. This, in our opinion, reduces the possibility of corrupt, friendly and other actions in the formation of the civil service corps.

In the process of reforming the legal framework of the civil service, it is necessary to use a systematic approach, to consider the civil service as a tool for effective management. This determines the main tasks of the civil service – to achieve stability of the foundations and integrity of the state, to ensure the effectiveness of the activities of public bodies, further democratization of the methods of formation and activities of public authorities, the creation of social, legal and other conditions necessary for the effective work of civil servants.

The European experience shows that the success of positive social and economic transformations directly depends on the effectiveness of the state policy in relation to the professional development of public administration personnel and civil servants, as well as on the political responsibility of the government for the modernization of the system of professional training of civil servants, taking into account the requirements of modern times.

Priority areas for further reform and improvement of legal regulation should be given:

- implementation of positive European experience of effective mechanisms, standards and procedures for personnel management in public service;

- introduction of objective criteria for evaluating the performance of civil servants (in most European countries, not only formal performance of official duties and comparison of such performance with the overall performance of the authority, but also the degree of loyalty of the employee, inclination or lack of exposure to corrupt acts, professional development and social behavior of the employee)

– Improving the mechanisms of:

a) The accountability and accountability of public servants;

b) specifying the legal liability for certain types of offenses;

c) performance assessment and evaluation of civil servants, in particular with regard to the procedure of formation of subjects conducting an assessment of employees' performance and forms of performance evaluation (oral, written, combined). In Ukraine today, the main emphasis in the assessment of employee performance is on certification, which is not always an effective and objective criterion for the assessment of work as a whole and is mostly formal. To this end, it is advisable to introduce other tools to assess the knowledge and performance of civil servants.

In addition, we consider it expedient to amend the current Law of Ukraine "On Civil Service", in particular, in the part concerning the requirements of the educational and qualification level of civil servants classified as "B" (paragraph 5, part 2, Article 20 provides for the availability of higher education only for the junior bachelor's or bachelor's level and fluent command of the state language, but there are no requirements for the professional level and, accordingly, the length of service).

SUMMARY

Ukraine, continuing its strategic course of joining the European community, should study and, if necessary, implement the standards of legal regulation of personnel policy in the civil service generally accepted in Europe, taking into account national traditions. In order to improve the existing mechanisms of civil service in Ukraine, this article analyzes the European experience of legislative regulation of individual stages of civil service: highlighted the main problematic issues in this direction; identifies the features of the basic concepts and forms of the European experience in training civil servants of certain countries in terms of selection, competition and advanced training of civil servants, is the basis for further improvement and development of the civil service institution in Ukraine; clarified the conceptual positions of jurists on the principles and models of civil service; the priorities of the European experience in training personnel in relation to

Ukrainian conditions are theoretically substantiated, taking into account the experience of France, Germany, Poland; a comparative aspect was implemented with the current legislation of Ukraine and proposals were made on the possibility of its implementation in domestic legislation.

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