

## **Outline of the 2011 NPA Report on National Civil Service Reform**

### **I. Basic Recognition of the Premise of National Civil Service Reform**

The NPA points out that national civil service reform should be carried out, under the commonly shared recognitions among concerned parties on the characteristics of national administration and labor relations for national public employees, which are different from those in the private sector, by being discussed at length and acquiring sufficient understanding and the consent of the nation.

#### **1. The Characteristics of National Public Administration and the Model for National Public Employees**

- 1) Concrete administrative organizations and the duties of administration, etc., are, based on laws and budgets, to be under the democratic control of the Diet.
- 2) The relationship between ministers, etc., and national public employees is, so to speak, "two wheels on the same cart." An appropriate demarcation of roles and partnerships are required for this relationship.

#### **2. The Characteristics of Labor Relations for National Public Employees**

##### **1) The Functions of Ministers, etc., as Employers are to be under the Democratic Control of the Diet**

Regarding structural features in the working conditions of national public employees, such as remunerations, under the principles of determining working conditions by law and of democratic determination of national finance, control over these working conditions is vested in the Diet. Decisions of the Prime Minister and ministers, etc., as direct employers, are not enough to conclude such determinations.

##### **2) National Public Employees are required to Perform Duties as Servants of the Whole Community**

National public employees are, as the servants of the whole community, required to fulfill their duties to their utmost in full cooperation with ministers, etc.

##### **3) Determinations on Working Conditions in the National Civil Service are Free from Inherent Restrictions such as Profit-sharing and Market Control**

Determinations on working conditions in the national civil service are not fitted into the framework of private sector wage determination based on profit-sharing. In addition, there basically exist no inherent restrictions, i.e., market control issues such as bankruptcy.

## **II. Issues regarding the National Civil Service Reform Related Bills**

### **1. Issues with Regard to Securing Fairness in Personnel Administration**

Measures such as those below should be taken in addition so as to systematically ensure functions to secure fairness in personnel administration.

#### **(1) Ensuring the Fair Implementation of Recruitment Examinations and Trainings**

With regard to making examination questions and decisions pass or fail, etc., it is necessary that a third-party organization guaranteed a certain level of organizational independence carry out this role. Regarding trainings for employees, it is also important to take measures for fair planning and implementation.

#### **(2) Ensuring Fairness in Personnel Affairs for Senior Officials**

Regarding qualification reviews for senior officials, it is important that the Personnel Fairness Committee is involved in an appropriate and effective manner. In addition, with regard to personnel transfers among senior posts, the strict verification process of qualifications and measures to improve rationality and the acquisition of consent for personnel changes are required.

### **2. Issues with Regard to the Recovery of Rights to Conclude Agreements**

The basic issues regarding the review of restrictions on basic labor rights are again listed as follows.

#### **(1) Clarification of the Necessity of the Recovery of Rights to Conclude Agreements and of Consequential Public Interests, Merits and Demerits**

It is necessary to clarify problems in the current system, as well as concrete interests, merit and demerits for the public brought by this reform, etc.

#### **(2) Democratic Control over Working Conditions and Measures to Secure Authorities in Negotiation**

It is necessary to design an appropriate labor system to ensure consistency between the Diet's democratic control over working conditions, which is required by the Constitution, and the insurance of the Cabinet's role of being negotiation authorities as employers at the same time

#### **(3) Determinations on Working Conditions through Negotiations with Multiple Labor Unions, etc.**

It is necessary to clarify the relationship between arbitration awards given to some unions and labor agreements with other unions. It is also necessary to clarify how to determine the working conditions of non-unionized employees.

#### **(4) Concrete Methods of Actual Labor Negotiations**

Details need to be determined with regard to preliminary arrangements for budgets, an investigation of the actual situation of remuneration in the private sector, methods of

negotiating the distribution of gains, and the establishment of the organizational structure of labor-management negotiations in the Cabinet Office and each ministry.

**(5) Ensuring the Viability of Arbitration Awards**

The Bill stipulates arbitration awards as an obligation of the Cabinet. The Cabinet should make its best efforts for this. It is necessary to ensure the implementation to the utmost extent.

**(6) Compensatory Measures for Employees whose Basic Labor Rights Continue to be Restricted**

It is necessary to secure compensatory measures for police officers, etc., whose basic labor rights continue to be restricted.

**III. Efforts to Tackle Issues, etc., Provided in the Basic Act for National Civil Service Reform**

**1. Promoting Personnel Management Based on Ability and Performance**

In order to promote personnel management based on ability and performance, the NPA has been working to restructure recruitment examinations, develop human resources in a strategic manner, determine adequate time periods for the holding of a single position, establish competitive and fair selection procedures, and so forth. The NPA also supports the proper implementation of the personnel evaluation system.

**2. Improving the Working Environment for Employees**

As a part of methods to urge men to take child care leave, the NPA improves the payment rate of end-of-term allowances for those who take the leave for short periods. The NPA also supports efforts in the entire government to reduce overtime work, and promotes measures for mental health care, including stress management related to the Great East Japan Earthquake.