

PUBLIC EMPLOYMENT IN SPAIN



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I. PUBLIC EMPLOYMENT IN SPAIN

The Spanish civil service employment system is characterized by:

- Constitutional preference for a career-based system. Article 103 of the Constitution chose a civil service employment system based on career civil servants, which is not an obstacle to the existence of non-civil service staff, only in the cases or events specifically established by law. Therefore, public employees are ruled by two different legal frameworks: administrative and labour law.
- Recruiting according to equality, merit and ability. In general, the access to civil servant condition is set out through Corps and Scales, while non-civil service staff is selected for specific positions.
- Permanence of the career civil servant status as a guarantee of their independence.
- Neutrality towards political changes as well as submission to the principles of rule of law, impartiality and merit.
- Subjection to a specific disciplinary and incompatibility system inspired by public employees Code of Conduct.

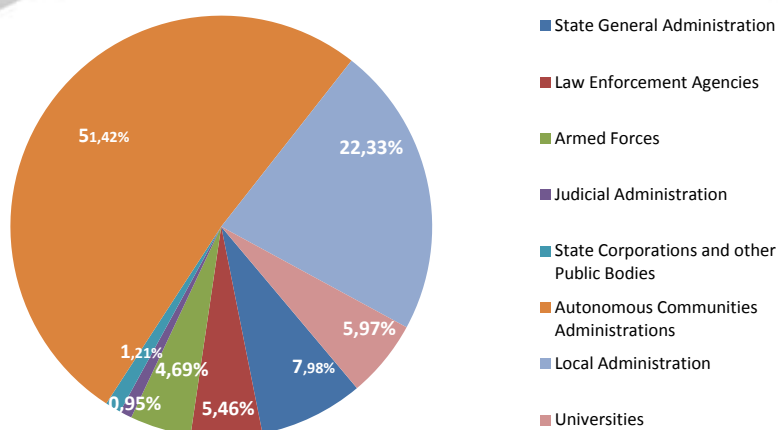
The consolidated text of the Basic Statute of Public Employees Act, approved by Royal Legislative Decree 5/2015, of 30 October 2015, establishes the general principles applicable to public employment relationships.

1. DISTRIBUTION OF PUBLIC ADMINISTRATIONS STAFF

The Spanish State is territorially organized into 17 Autonomous Communities, the Cities with autonomous status of Ceuta and Melilla, and 8.117 municipalities. Nowadays, it is one of the most politically and administratively decentralized states in Europe.

| | Number of | % |
|--|------------------|---------------|
| GENERAL STATE ADMINISTRATION | 536.499 | 21,08 |
| State Administration Departments | 214.831 | 8,44 |
| State Law Enforcement Agencies | 143.114 | 5,62 |
| Armed Forces | 121.848 | 4,79 |
| Judicial Administration | 24.859 | 0,98 |
| State Corporations and other Public Bodies with specific regime, Statewide | 31.847 | 1,25 |
| AUTONOMOUS COMMUNITIES ADMINISTRATIONS | 1.284.026 | 50,46 |
| General Administration Departments and other public bodies | 214.022 | 8,41 |
| Non-University Education | 531.030 | 20,87 |
| Public Health Institutions | 475.465 | 18,68 |
| Judicial Administration | 37.408 | 1,47 |
| Law Enforcement Corps | 26.101 | 1,03 |
| LOCAL ADMINISTRATION | 577.164 | 22,68 |
| Municipalities | 517.838 | 20,35 |
| <i>Diputaciones/Cabildos/Island Councils</i> | 59.326 | 2,33 |
| UNIVERSITIES | 147.115 | 5,78 |
| Personnel registered in Central Personnel Register (RCP) | 92.718 | 3,64 |
| Personnel non registered in Central Personnel Register (RCP) | 54.397 | 2,14 |
| TOTAL | 2.544.804 | 100,00 |

Source: Central Personnel Register (RCP), January 2018.



Public service employment is highly decentralized; most of which is concentrated in territorial administrations (Autonomous Communities and Local Administration).

The Public Employment Coordination Commission, technical body under the Public Administration Sectoral Conference, is an essential tool to guarantee the coherence and communication of public employment system as a whole. It enhances the cooperation among all public administrations to solve all the common problems in public employment: access, professional career, training or mobility, among others.

The Commission is formed by the heads of General State Administration's human resources policy management bodies, of the Autonomous Communities Administrations and from the Cities of Ceuta and Melilla, and representatives of the Local Administration designated by the Spanish Federation of Municipalities and Provinces.

2. PUBLIC EMPLOYMENT EVOLUTION

Since 1978 Constitution, a relevant process of decentralization has taken part in our country due to, in one hand, the impact of new public administrations, Autonomous Communities, and in the other hand, the appreciable prominence acquired by Local Administration in a democratic context with a clear widening of its competences field.

The evolution comparison on number and allocation of public employees is the following:

| | 2000 | 2011 | 2018 |
|-------------------------------------|-------------------------|-------------------------|-------------------------|
| General State Administration | 753.783 (34,1%) | 592.531 (22,0%) | 511.708 (20,29%) |
| Autonomous Communities | 904.041 (41,0%) | 1.347.835 (50,1%) | 1.318.307 (51,63%) |
| Local Administration | 455.357 (20,6%) | 646.627 (24,1%) | 571.264 (22,37%) |
| Universities | 94.951 (4,3%) | 103.106 (3,8%) | 152.226 (5,96%) |
| TOTAL | 2.208.132 (100%) | 2.690.099 (100%) | 2.553.505 (100%) |

Source: Central Personnel Register (RCP), January 2018.

As it can be seen, General State Administration has become the smallest one of all public administrations in number of employees.

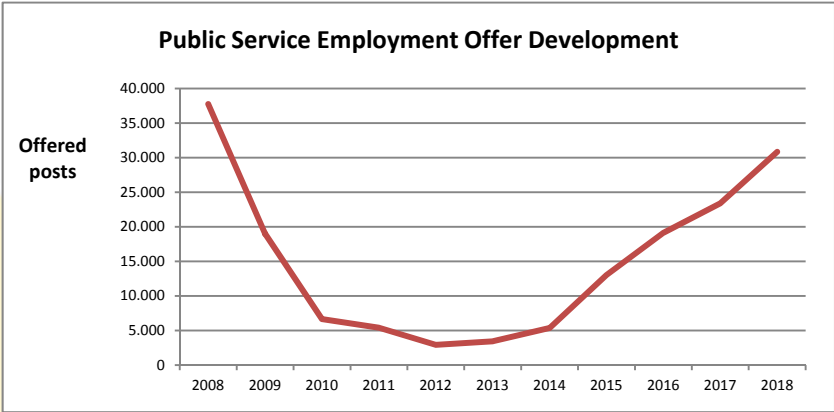
The overall volume of public employees has experienced an increase in last decades, as a consequence, mainly, of the constant improvement in basic public services delivering: health care, education, public security, etc., as much in quality as in quantity, due to the rise of the population to whom those public services are aimed at.

Since 2011 public employment has been getting back on track in order to avoid a greater expansion of volume of public employees in all public administrations, to reduce its current cost and to contribute to deficit reduction, and in this way, to fulfill with the tax consolidation path sets up in a budgetary stability and financial sustainability context. The main goal is efficiency, running available resources to priority sectors.

The Public Service Employment Offer is the main tool for public administrations’ personnel requirements planning, through which it is determined annually the number of new employees who will join to public administration workforces.

Statewide, its recent evolution reflects the public expenditure containment policy mainly from 2010 to 2015, with a great impact in the total number of employees, and the steady recovery in the past few years.

| PUBLIC SERVICE EMPLOYMENT OFFER | | | | | | | | | | | |
|---------------------------------|---------------|---------------|--------------|--------------|--------------|--------------|--------------|---------------|---------------|---------------|---------------|
| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
| Total | 37.760 | 18.995 | 6.654 | 5.399 | 2.922 | 3.440 | 5.364 | 13.016 | 19.121 | 23.382 | 30.844 |



Source: Central Personnel Register (RCP), January 2018.

3. COMPARISON BETWEEN PUBLIC ADMINISTRATIONS

BY LEGAL RELATIONSHIP

| | Civil Servants | Contracted Employees | Other Staff * | TOTAL |
|-------------------------------------|------------------|----------------------|----------------|------------------|
| General State Administration | 416.277 | 84.583 | 10.848 | 511.708 |
| Autonomous Communities | 793.023 | 125.665 | 399.619 | 1.318.307 |
| Local Administration | 201.139 | 314.125 | 56.000 | 571.264 |
| Universities | 66.553 | 77.566 | 8.107 | 152.226 |
| TOTAL | 1.476.992 | 601.939 | 474.574 | 2.553.505 |

Source: Central Personnel Register (RCP), January 2018.

* Temporary and interim employees and other categories to be phased out.

BY AREA OF ACTIVITY

| | General State Administration* | Autonomous Communities |
|--|--------------------------------------|-------------------------------|
| Ministries and/or Departments and their public bodies | 102.757 (37,49%) | 208.570 (15,82%) |
| Non-University Education | 7.006 (2,56%) | 555.951 (42,17%) |
| Public Health Institutions | 3.620 (1,32%) | 488.983 (37,09%) |
| Law Enforcement | 136.746 (49,90%) | 25.548 (1,95%) |
| Judiciary | 23.934 (8,73%) | 39.255 (2,98%) |
| TOTAL | 274.063 (100%) | 1.318.307 (100%) |

Source: Central Personnel Register (RCP), January 2018.

* For comparison purposes, from a total of 511.708 employees of General State Administration, it has not been considered staff belonging to the Social Security (25.652); State Corporations (30.926); Tax Office (25.129); State Agencies (14.364); Penitentiary Institutions (22.570), National Heritage (1.241) and the Armed Forces (117.763).

Public employment is gathered, basically, in welfare state services, and mainly in health and educational services.

A general analysis leads to the conclusion that State civil servants focus on planning and policy-making (ministerial departments) and defense, security and public order (law enforcement). Most of civil servants from the Autonomous Communities work in the field of health, education, and judiciary due to the transfer of its management.

BY GENDER

In general, there is a gender balance in all Public Administrations with some exceptions. In some fields of the General State Administration (law enforcement corps or armed forces) there is a bigger male presence. In Autonomous Communities Administrations the female presence is larger because of their competences on public health and education, which are fields with a majority of women.

Nonetheless, the endorsement of the Organic Act 3/2007, of 22 March, for effective equality of women and men, has enhanced gender equality policy, with the obligation to adopt Equality Plans in public administrations.

| | Number Employees | | TOTAL | Percentage | |
|-------------------------------------|-------------------------|------------------|------------------|-------------------|---------------|
| | Men | Women | | Men | Women |
| GENERAL STATE ADMINISTRATION | 351.915 | 159.793 | 511.708 | 68,8% | 31,2% |
| State Administration Departments | 97.520 | 104.819 | 202.339 | 48,2% | 51,8% |
| State Law Enforcement Agencies | 120.622 | 16.124 | 136.746 | 88,2% | 11,8% |
| Armed Forces | 102.765 | 14.998 | 117.763 | 87,3% | 12,7% |
| Judicial Administration | 8.389 | 15.545 | 23.934 | 35,1% | 64,9% |
| State Corporations | 22.619 | 8.307 | 30.926 | 73,1% | 26,9% |
| AUTONOMOUS COMMUNITIES | 405.392 | 912.915 | 1.318.307 | 30,8% | 69,2% |
| LOCAL ADMINISTRATION | 292.537 | 278.727 | 571.264 | 51,2% | 48,8% |
| UNIVERSITIES | 80.317 | 71.909 | 152.226 | 52,8% | 47,2% |
| TOTAL | 1.130.161 | 1.423.344 | 2.553.505 | 44,26% | 55,74% |

II. PUBLIC EMPLOYMENT IN GENERAL STATE ADMINISTRATION (AGE)

| AGE | Nº employees | % |
|--|----------------|----------------|
| Ministries and public bodies | 184.355 | 91,11% |
| - Ministries and Departments | 102.757 | 50,78% |
| - Non-University Education | 7.006 | 3,46% |
| - Penitentiary Institutions | 22.570 | 11,15% |
| - Social Security | 25.652 | 12,68% |
| - National Heritage | 1.241 | 0,61% |
| - Tax Office | 25.129 | 12,42% |
| State Agencies (Act 28/2006) | 14.364 | 7,10% |
| Health Institutions Social Security/Defense | 3.620 | 1,79% |
| Total | 202.339 | 100,00% |

¹ Only employees of Health Institutions belonging to National Institute of Health Management, to Social Institute of Navy and Hospital Network of Defense remain in General State Administration.

Source: Central Personnel Register (RCP), January 2018.

BY PROFESSIONAL CLASSIFICATION GROUPS

The consolidated text of the Basic Statute of Public Employees Act, approved by Royal Legislative Decree 5/2015 (TRLEBEP), settles that civil servants are grouped into corps, scales, specializations, or other systems which incorporate common skills, abilities and knowledge confirmed by the qualifications required for access, means of the selection process and responsibility of functions to perform.

| Group | Sub-Group | Qualification |
|-------|-------------------------------|--------------------------------------|
| A | A1 A2 | University Degree |
| B | | Higher Technical Degree |
| C | C1 C2 | Secondary School Qualifications |
| E | Other Professional Categories | No formal qualification requirements |

| Group | Sub-Group | Career Civil Servants |
|-------|-------------------------------|-----------------------|
| A | A1 | 14,45% |
| | A2 | 18,24% |
| B* | | - |
| C | C1 | 39,75% |
| | C2 | 27,42% |
| E | Other Professional Categories | 0,15% |

Data is referred to AGE employees (January 2018).

* No corps or scales in this Group currently.

BY AGE

| Age (years) | 2005 | 2018 |
|-------------|--------|--------|
| 16-30 | 2,23% | 0,92% |
| 30-39 | 20,37% | 8,96% |
| 40-49 | 42,86% | 23,32% |
| 50-59 | 27,01% | 50,15% |
| 60-64 | 6,69% | 14,86% |
| 65-70 | 0,83% | 1,80% |

Source: Central Personnel Register (RCP), January 2018.

The most frequent age range of public employees is from 50 and 59 years, which represents more than half. Average age of public employees in AGE is quite high, 51,5 years. In the period 2005-2018 the volume of public employees with an age between 50-70 has increased until the current figure of 66,81%.

III. PUBLIC EMPLOYMENT IN AUTONOMOUS COMMUNITIES

| | Civil Servants | Non-civil service staff | Other | TOTAL |
|---------------------------------|----------------|-------------------------|----------------|------------------|
| GENERAL ADMINISTRATION | 739.485 | 124.831 | 389.188 | 1.253.504 |
| - Departments and public bodies | 106.208 | 69.214 | 33.148 | 208.570 |
| - Non-University Education | 362.683 | 44.248 | 149.020 | 555.951 |
| - Public Health Institutions | 270.594 | 11.369 | 207.020 | 488.983 |
| JUDICIAL ADMINISTRATION | 27.990 | 834 | 10.431 | 39.255 |
| LAW ENFORCEMENT CORPS | 25.548 | 0 | 0 | 25.548 |
| TOTAL | 793.023 | 125.665 | 399.619 | 1.318.307 |

Source: Central Personnel Register (RCP), January 2018.

Every autonomous community has its own human resources management, ruled by their own legislation (acts and decrees) in development of the Basic Statute of Public Employees (TRLEBEP). Once the autonomic state has been consolidated, the Autonomous Communities administrations are the ones who manage the biggest part of services, and therefore, who execute the largest expenditure in public employment and handle more personnel.

IV. PUBLIC EMPLOYMENT IN LOCAL ADMINISTRATION

Local Administration is one of the three territorial administrations making up the Spanish Public Administration, and principally comprises territorial entities (Provinces, Municipalities, Islands), but also non-territorial institutions (Associations of Communities). In Local Administration there are a high percentage of contracted personnel.

| | Civil Servants | Non-civil service staff | Other | TOTAL |
|---------------------------------------|----------------|-------------------------|---------------|----------------|
| Town Councils | 175.323 | 290.112 | 43.022 | 508.457 |
| Diputaciones/Cabildos/Island Councils | 25.816 | 24.013 | 12.978 | 62.807 |
| LOCAL ADMINISTRATION | 201.139 | 314.125 | 56.000 | 571.264 |

One of their main features is the presence of civil servants of local administration with national authorization (FHN), who are responsible, with total independence, for control and internal audit of financial-economic and budgetary Local Administration management.

These are, therefore, required functions in all Local Entities which must exist compulsorily, and due to their nature they are reserved to a specific group of civil servants, who have a special qualification and specialization.

| LOCAL ADMINISTRATION PUBLIC EMPLOYEES | | |
|--|----------------|----------------|
| Civil servants of local administration with national authorization (FHN) | 5.281 | 0,92% |
| <i>Rest of personnel</i> | 571.264 | 99,08% |
| TOTAL | 576.562 | 100,00% |

Source: Integrated Register of FHN (1 January 2018)

V. UNIVERSITIES

Public Universities have been transferred to Autonomic Communities, except the UNED (Distance Learning National University) and the Menéndez Pelayo University (2.567 employees). Total staff is 152.226 workers who are allocated, by type of employee, as follows:

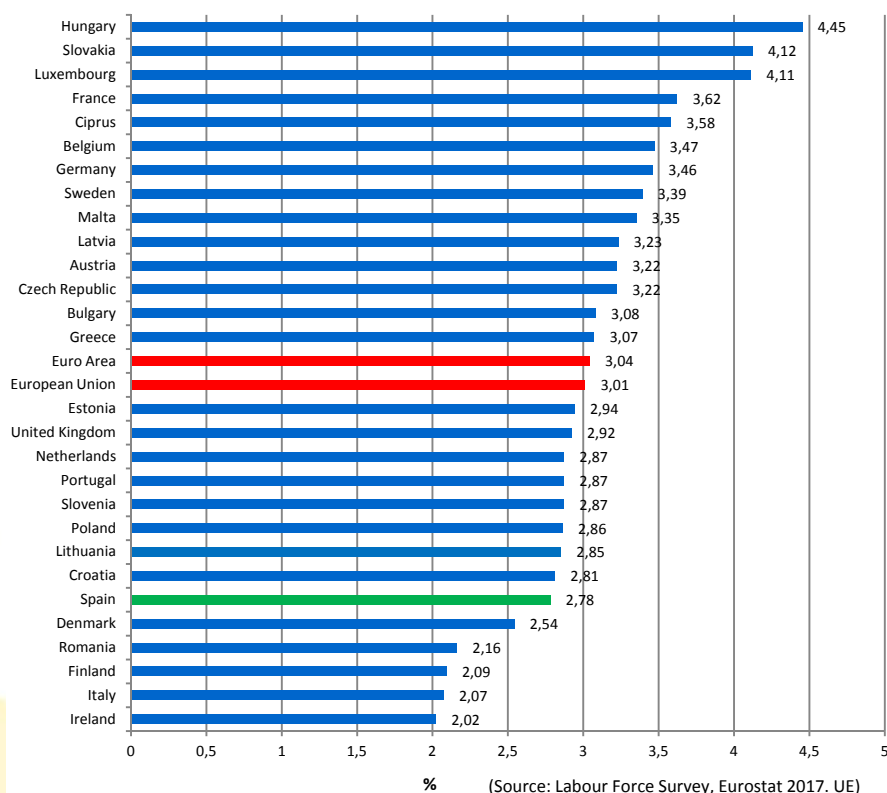
- Teachers and researchers (99.504 employees).
- Management and services staff (52.722 employees)

As a whole, 43,72% are civil servants, 50,95% contracted employees and 5,33% other staff.

Universities with more personnel are, in descending order: Complutense Madrid U., 9.284; Barcelona U.: 7.778; Sevilla U.: 6.813; Basque Country U.: 6.272; Valencia U.: 6.197; Granada U.: 5.698; Autónoma Barcelona U.: 5.567 and Zaragoza U.: 5.251

VI. EU MEMBERS COMPARATIVE DATA

Public Administrations salaried employees/Total Population



According to Eurostat data (education and health system activities are not included), Spanish public employment is slightly lower than EU Member States average (3%), using the number of public employees by total population as indicator.

VII. PUBLIC EMPLOYMENT AND FUTURE CHALLENGES

As a consequence of the recruitment freeze in public employment during last few years, there has been an increase in temporality, mainly in Autonomous Communities and Local Administrations.

This new scenery has caused the implementation of new measures in order to reduce the temporality in public employment, and the maintenance of temporary contracting rate below 8%. Since 2017 have been launched stabilization employment processes spread on a time horizon of 3 years, which are mainly focused on priority sectors as education, health and judicial system.