

Building Effective Justice Institutions: The Challenge Of Developing Competence Management Practices*

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The United Nations Sustainable Development Goals (SDG) provide a frame of reference for signatory countries to guide public policies and institutional strategies at all government levels. Building the institutions capable of delivering the SDG relies on well-designed organizational processes and people not only committed to the fulfilment of their duties, but also with the competences to deliver them. This paper is part of a research effort that aims to identify how Brazilian public institutions develop the competences of their employees in face of the limitations imposed by legal requirements, especially those stemming from the public examinations model. Specifically, the paper main objective was to identify managers and server's perceptions about competence management in the institutions they work for. Considering the huge challenge represented by the delivery of justice for the achievement of the SDG, the study focus on Judicial Branch institutions. The research, carried out in 2019, was based on a sample of six public examinations that took place between 2013 and 2015. Data were collected through interviews with HR managers, questionnaires applied to sworn candidates in higher level Administration positions and also official reports and legislation of public examinations. Results show that managers reveal no in-depth knowledge about competence management and its impact in HR processes. This might ingrain an insufficient awareness and proactivity in the actions directed to the management of competences, as well as poor effectiveness of the actions carried out. The research concludes that the agencies commitment to strengthen their missions through competence management are still incipient.

Keywords: Judicial Branch; competence management; human resources; Brazil.

Construindo Instituições de Justiça Efetivas: o Desafio do Desenvolvimento de Práticas de Gestão por Competências

Os Objetivos de Desenvolvimento Sustentável das Nações Unidas (ODS) fornecem um quadro de referência para os países signatários orientarem as políticas públicas e estratégias institucionais em todos os níveis de governo. A construção de instituições capazes de cumprir os ODS depende de processos organizacionais bem desenhados e de pessoas comprometidas não apenas com o cumprimento de suas funções, mas também com as competências para realizá-las. Este artigo é parte de um esforço de pesquisa que tem como objetivo identificar como as instituições públicas brasileiras desenvolvem as competências de seus funcionários frente às limitações impostas por requisitos legais, especialmente aquelas decorrentes do modelo de concurso público para seleção de servidores. Especificamente, o objetivo deste artigo foi identificar as percepções de gestores de RH e

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servidores acerca da gestão de competências nas instituições em que trabalham. Considerando-se o enorme desafio que representa a justiça para o cumprimento dos ODS, o estudo enfoca as instituições do Poder Judiciário. A pesquisa, realizada em 2019, baseou-se em uma amostra de seis concursos públicos realizados entre 2013 e 2015. Os dados foram coletados por meio de entrevistas com gestores de RH, questionários aplicados a servidores aprovados para cargos superiores de Administração e relatórios oficiais e legislações dos concursos públicos. Os resultados apontam que os gestores não revelam conhecimento profundo sobre a gestão de competências e seu impacto nos processos de RH – o que pode resultar em pouca consciência e pró-atividade nas ações dirigidas à gestão de competências, bem como em pouca eficácia das ações realizadas. Conclui-se que o compromisso das organizações com o fortalecimento de suas missões através da gestão por competências ainda é incipiente.

Palavras-chave: Poder Judiciário; gestão de competências; gestão de pessoas; Brasil.

Introduction

The United Nations Sustainable Development Goals (SDG) provide a frame of reference for signatory countries to guide public policies and institutional strategies at all government levels. Goal 16: *Peace, justice and strong institutions* requires a strong commitment from the public administration to strengthen institutional missions and make public organizations accountable and able to effectively translate sustainable development policies into concrete actions.

Middle-income countries, such as Brazil, face constraints in the development of fully accountable and effective government institutions, stemming from factors ranging from outdated laws to the lack of a capable workforce. The last is directly related to recurrent problems, such as the poor quality of public services and difficulties for establishing interinstitutional cooperation – although Brazil spends 13% of its GDP with public employment salaries, while OECD countries spend 11% of its GDP with public employees' salaries (OECD, 2015) and despite the fact that since 2006 Brazil has developed a legal and normative framework aimed at the adoption of strategic people management practices in public administration.

Building the institutions capable of delivering the SDG goes beyond technology and law enforcement, it depends on well-designed organizational processes and people not only committed to the fulfilment of their duties, but also with the competences to deliver them. Previous studies we have conducted (Raunheitti, 2016; Raunheitti, et al., 2018) along with other researches (e.g. Avelino et al., 2017; CNJ, 2016; Fevorini et al., 2014; Teixeira et al., 2013) provided evidences of strong limitations to the development of competences in the Brazilian public sector, due to obsolete laws that guide public examinations, poor HR planning, lack of leaderships' commitment, unclear definitions of attributions and responsibilities of positions and even lack of knowledge of institutional missions by HR professionals. This paper is part of a research effort that aims to identify how Brazilian public institutions develop the competences of their employees in face of the limitations imposed by legal requirements, especially those stemming from the public examinations model. Its main objective is to identify managers and server's perceptions about competence management in the institutions they work for. Considering the huge challenge represented by the delivery of justice for the achievement of the SDG, the study focus on judicial branch institutions. The research was based on a non-arbitrary sampling of 6 public examinations that took place between 2013 and 2015. Data were collected through interviews with human resources

managers, questionnaires applied to sworn candidates in higher education Administration positions and also official reports and legislation of public examinations.

A Brief Contextualization of Competences in Brazilian Public Administration

The Revolution of 1930, a movement that provisionally brought president Getulio Vargas to power, represented a rupture in the Brazilian historical process in the public's mind. At the political level, its main goal was to put an end to the structure where power was concentrated in rural oligarchies, who were unable to meet the new needs arising from the acceleration of industrial process and the insertion of the Brazilian economy in the growing international market. In economic terms, a restructuring of the State was urgent, with the adoption of a rational bureaucratic public administration, able to meet the new demands arising from the transformations in process (Castor et al., 1987).

In this context, numerous rational, specialized and technical administrative initiatives arose. The 1934 Constitution, for example, in addition to labor regulations and the inclusion of the right to education, established the requirement of public competitive examinations for filling posts in Brazilian Public Administration.

The 1967 Constitution stated that "the appointment to public office requires prior approval by public selection recruitment via tests or evidences and titles". This initiative reflects the reform that started in that same year, taken as the starting point of managerial administration in Brazil, a change that went against the rigidity of the bureaucratic administration model (Bresser-Pereira, 1996). By requiring the application of tests or tests and titles for access to public offices, the 1988 Constitution confirms the requirement for public competitive examinations. Procedures and general principles for the implementation of such exams are established for the selective processes of the Executive Branch of the Federal Government.

In 1995, in line with the transformations of public management around the world, Brazil launches the Managerial Reform of the State. The state reforms followed the so called managerial perspective, according to which management practices adopted in the private sector were taken as exemplar to the public sector, in order to promote greater efficiency and focus on results. In the context of changes, one of the major advances is the formal introduction, in 2006, of competence management as a model to be adopted by the federal public institutions. The competence management was formally introduced with the institution of the National Policy on Personal Development - NPPD, which has among its purposes the permanent development of the public servers and the adequacy of the required competences of the servers to the institutions goals – in order to improving the efficiency, effectiveness and quality of public services provided to citizens.

In this light, NPPD has among its objectives the permanent development of public servants and the adequacy of their required competences to the objectives of the institutions - with a view to improving the efficiency, effectiveness and quality of public services provided to citizens.

According to the Organization for Economic Co-operation and Development - OECD (2010), the first steps of competence management in the public sector are found in the US and the UK during the 1980s, paralleling the introduction of New Public Management (UK) and Entrepreneurial or re-engineered Government (US). Today, countries like Australia,

Belgium, Canada, Denmark, France, Japan, Korea, the Netherlands, the United Kingdom, and the United States are considered to have a mature competence management system.

The NPPD defines competence management as "management of training geared to the development of a set of knowledge, skills and attitudes necessary to the performance of the functions by the servers, aimed at reaching the goals of the institution" (Decree 5707, 2006). The narrow focus on training may represent a weak point, because it does not provide the necessary interconnection of various people management processes relating to competence management – such as recruiting, evaluation of performance and career development, for example.

However, as highlighted by Ayres & Silva (2013), despite this direct focus on the aspect of training, this is defined in the NPPD as a "permanent and deliberate process of learning, aimed at contributing to the development of institutional skills through the development of individual competences" (Decree 5707, 2006). Thus, it is acknowledged that people are valuable resources that contribute directly to the development of institutional competences, and is fostered the commitment of public organizations with the monitoring of individual competences required in various contexts, in line with the institutional objectives.

It should be acknowledged that the development process of management by competences in Brazilian public administration develops slowly and gradually, because it represents a cultural change that needs to be consolidated. However, there is a significant effort to deliver a qualified and cost-effective public service to society, with the aim of balancing efficiency, efficacy and effectiveness (Abrucio, 2007; Bresser-Pereira, 1996; Costa, 2010).

A major aspect to be highlighted are the strongly established routines and work patterns. The frailty in the definition of general guidelines for human resources policies combined with the lack of information about positions, career and wages plans, makes the HR area prioritize routine and emergency tasks – so, the definition of policies to hire, train and remunerate is still in the background (Bergue, 2014).

It is noteworthy that competence management "is not an objective in itself, but a means to develop an integrated HR policy. By facilitating horizontal (aligning HR activities) and vertical (aligning HR and the organizational strategy) integration, competence management serves as leverage for a more strategic human resource management" (OECD, 2010, p.9). Thus, in view of the strategic orientation that permeates the very concept of competence management, it is paramount that the monitoring of competences in the various public agencies subsidizes the practices of greater impact for the Brazilian public management.

Competence Management in the Brazilian Judicial Branch

Within the scope of the judiciary, the legal framework of competence management came with the publication of Resolution 192, dated May 8, 2014 by the National Justice Council (CNJ), which provides for the National Policy for Training and Improvement of public servers in the Judicial Branch. The Resolution defines competence as "a set of knowledge, skills and attitudes necessary for the performance of the functions of the public serves, in order to reach the strategic objectives of the Judicial Branch agencies" and the development of competences as "learning process oriented to the wisdom, to know how to and how to be, in the perspective of organizational strategy"- establishing that in the judiciary, education

must be integrated with "the strategic planning of the Judiciary, with the development of skills necessary for the fulfillment of the mission, scope of vision and the execution of strategy". The Resolution does not only focus the competences, but also to the "change of position for judicial units of different specialty or competences" as actions to develop the competences of the servers. Responsibilities for skills development, incentive and evaluation criteria and other guidelines are established.

The CNJ is responsible for the coordination and implementation of the the National Policy for Training and Improvement of public servers in Judicial Branch and, through the Center for Training and Improvement of Judicial Branch Officers (CEAJud), is responsible for the identification of functional competences (knowledge, skill and attitude) to be developed in the servers of the Judicial Branch.

It can be affirmed that today there is a well-developed normative framework for the implementation of competence management in the Brazilian public administration. However, in general, the process of developing competence management is still slowly and gradually, because it is a significant cultural change that needs to be consolidated. The study carried out by the Federal Audit Court about the situation of Governance and People Management in the Brazilian Public Administration (TCU, 2013) pointed to the low level of development of policies and practices structured related to the following issues: high management leadership, strategic alignment, leadership and knowledge management, culture oriented for results, talent management, control of rights and benefits, and accountability. Other studies point to obstacles of several orders, such as: precariousness in the definition of general guidelines for human resources policies; lack of information about the career plan, careers and salaries that makes the HR area in the public sector even prioritize routine and emergency tasks (Bergue, 2014; Schickmann, 2010); need to define the organization's strategy as a way of giving direction, focus efforts and be an internal coherence source (Silva & Mello, 2013); greater articulation of the various practices of people management to competences (Favorini et al., 2014). In relation to the Judicial Branch, the main difficulties observed in the implementation of competence management are, according to the CNJ (2016):

- organizations' cultural limitations;
- lack of competent people;
- methodological complexities in the competence mapping process;
- low commitment of high management and managerial levels;
- lack of IT systems for recording, organizing and monitoring data collected;
- exhaustive lists of competences not suitable for server evaluation processes;
- use of mapped skills for servers' training programs only;
- difficulty to articulate the new practices to people management subsystems;
- absence of a legal framework that has consequences for public organizations that do not adopt the model;
- anxiety for quick results from competence management;
- unrealistic expectancy that competence management will solve structural problems of the organization.

Also, in a study carried out in a Brazilian Judicial Branch institution, with a broader focus than competence management *per se*, Lima, Fraga & Oliveira (2016) found significant cultural traces – like personalism and patrimonialism - that need to be overcome in the way

to meritocratic and service-oriented management practices.

The methodology for competence management implementation proposed by CEAJud/CNJ (2016) comprises eight stages:

1. team definition
2. institutionalization of the competence management project
3. mapping the required skills
4. competence diagnosis and gap analysis
5. implementation of competence development programs
6. monitoring of competences
7. development of the rewards system
8. evaluation of the competence management program

The CNJ acknowledges that the implementation of competence management directly affects the efficiency, efficacy and effectiveness of the services provided by the agencies of the judiciary and that "once the competences necessary for the organization have been identified, the institution may use them in the public examination process (public competition) and to develop them more appropriately to the strategic objectives. At the end of the process, it is possible to generate improvements in the quality and speed of its services and, consequently, the adequacy and more efficient use of the resources used by the organization" (CNJ, 2016, p.15).

In 2017, the first volume of the *Gestão por competências no Judiciário: compartilhando experiências* report (CNJ, 2017) described four Judicial Branch agencies experiences with competence management. In 2018, the second volume of the report describes five more cases (CNJ, 2018). The accounts indicate that competence management in the Judicial Branch is in varied stages of adoption. The agencies follow different implementation methodologies, mostly proposed by hired external consultants (CNJ, 2017; 2018).

Notwithstanding, the accounts stress the hurdles identified in CNJ (2016), when pointing to limitations such as: inadequate or insufficient IT infrastructure, the need to adapt competence models proposed by consultants and the need to develop or buy support tools – such as talent banks and competence mapping. Also, some servers' behavioral and capability issues are pinpointed, such as:

- Lack of leadership commitment and support to subordinates;
- Lack of good communication;
- Insufficient knowledge about competence management, by HR professionals and servers as a whole;
- Lack of a culture of providing feedback.

Nevertheless, the reports recognize competence management's potential role for the development of both servers and organizations, bringing to light the servers' craving for transparency in criteria for promotions and career ascension as well as for professional development, amongst other aspects that may favor competence management.

Table 1 depicts the development level of competence management and its articulation with HR processes and practices, in the agencies whose experiences were reported by the CNJ (2017, 2018). As depicted, competence management it is not yet fully adopted in the organizations considered. Also, the concept of competences is focused on the capabilities and manifested behaviors, but not on deliveries related to performance.

Table 1: Competence management adoption in Brazilian Judicial Branch institutions

Institution	First steps adoption stage			Link with HR processes and practices	
	Mapping	Gap Identification	Individual Develop. Plans - IDP	Competences are a base to...	Stage of development
Regional Labor Court, 8 th Region	X	X	X	Annual Training Plan (ATP) Employees' socialization Development paths Competence-based performance evaluation Positioning and demotion	Formulated Proposal
State Court of Law of Minas Gerais - TJ/MG	X			Training and development Competence-based performance evaluation	In implementation
Regional Electoral Court of Espírito Santo - TRE/ES	X	X		ATP Positioning and demotion Internal recruitment Reward systems Talent bank	Formulated Intention to develop
Superior Court of Justice - STJ	X	Partly	X	Rewards and benefits Succession and leadership Meritocracy Careers Organizational development Knowledge management	In project
Court of Law of the Federal District and the Territories - TJDFT	X	X	X	Performance management Internal recruitment Training	Implemented In study In formulation
State Court of Law of Rondônia -TJ/RO	X	X		ATP Competence-based performance evaluation Positioning and transfer Learning paths	Implemented In implementation
Regional Electoral Court of Rio Grande do Sul - TRE/RS	X	X		Competence-based performance evaluation Transfer Rotational internship Corporate education Learning paths Talent bank Public examinations (selection)	Implemented In formulation In study
Union Military Justice - JMU	X	X	X	Permanent Training Program Training paths Employees' socialization program	Implemented Formulated In review
State Court of Law of Rio de Janeiro - TJ/RJ	X	X		Competence Development Plan Commissioned positions nomination Internal recruitment Performance evaluation (for probationary servers)	Implemented In formulation

Source: The authors, from information available in CNJ (2017; 2018).

As presented in a previous study (Raunheitti et al., 2018), we sustain that one of the practices of greater impact for the Brazilian public management is the filling of positions for public careers via competitive public examinations – a requirement stated in the Brazilian Federal Constitution. Competitive public examinations ensure democratic access to positions, but hamper the selection process and the possibilities of choosing candidates with the desired profile by the organization. The cause is that the selection methods defined in the Constitution (tests or test and academic degrees curbs the assessment to only one dimension of competence: knowledge. Essentially, public examinations do not offer instruments capable of assessing competences related to abilities or attitudes which may be fundamental to the good performance in office. Thus, commitment and agility in the development of activities, proactivity, zeal for equity, among other aspects, are not subject to evaluation throughout the selection process.

Acknowledging this constraint, we aimed to identify how Brazilian Judicial Branch institutions develop the competences of their employees in face of the limitations imposed by the public examinations model. Among other aspects, we tried to identify the level of awareness of managers about the articulation of competence management with HR processes and institutional missions, their perceptions about the impact of public examinations as a selection tool in the context of competence management, how they manage to narrow the competences gaps through training and development actions, as well as the main obstacles they face for establishing competence management practices in their organizations. We confronted these views with questionnaires applied to servers, aimed to identify what competences they consider the most important in the performance of their tasks and the development of their careers and their perception about the examinations in assessing these relevant competences.

Research Methodology

The study was based on six public examinations of the Judicial Branch agencies conducted by FGV Projects and homologated between 2013 and 2016. Data were collected through i) questionnaires applied to 832 approved and placed candidates for higher level positions in Administration, ii) semi-structured interviews with HR managers who had practical experience with competence management in public organizations, and iii) documental analysis of the official reports and legislations of the examinations. The research was conducted from February to May, 2019.

The research has a descriptive character, considering that its main objective is to describe the characteristics of a given population (Gil, 2002).

The public exams, the publishing of the request of tender, the analyzed careers and the number of positions available are described on Table 2 below:

Table 2: Public examinations sample

Public Examination	Publishing of the request of tender	Career	Positions
Public Defender's Office of the State of Rio de Janeiro DPGE /RJ	mai-14	Administrative Technician	03
General State Attorney of Rondônia - PGE/RO	set-15	Administrative Analyst	02
State Court of Law of Piauí - TJ/PI	set-15	Administrative Technician	20
State Court of Law of Amazonas - TJ/AM	fev-14	Judiciary Analyst - Administration	01
Public Defender's Office of the State of Rondônia - DPGE / RO	ago-15	Administration Analyst	02
State Court of Law of Rio de Janeiro - TJ/RJ	jan-15	Judiciary Analyst - Administration	23

Source: The authors, from information available in CNJ (2017; 2018).

The public examinations were chosen intentionally, accordingly to the following criteria: careers in Administration, in order to gather information about the same knowledge area; exams that took place at least four years before, in order to reach servers with some experience in the institutions.

The authors invited 13 public managers of Human Resources areas to participate in the research, but only six managers were able to. The interviews were semi-structured with opened questions relating to their experiences, perceptions and opinions about competence management. Therefore, during the interview it was possible to add some new questions or change the order depending on the conversation flow. The script was sent per e-mail to all public institution involved in order to get authorization to perform the research. The interviews in the agencies located in Rio de Janeiro took place in the organizations' premises; the others were conducted through Skype.

The second research instrument was a semi-opened survey questionnaire applied to the 832 new installed servers between the years 2014 and 2019. The survey structure was organized in order to allow for the analysis of each attribute considering a relevance scale, and ranking of attributes classified per preference level. The instrument was composed of 34 questions developed to have a sequential linking. The research obtained 86 responses collected through an on-line tool (10.3 % of responses). It is worth to mention that all the information was treated anonymously, and no personal data was revealed.

Data treatment and analysis

The analysis of the interviews data followed these steps:

1. First general transcriptions reading.
2. Integral reading, analyses, and establishment between the themes.
3. Identification of the most significant parts of the speeches and thematic categories.
4. Crossing of all interviews resume with the themes.

The questionnaires were analyzed using a distribution percentage of the responses for each dimension/attribute and by ranking based on the importance assigned by the responders.

The descriptive method and the small sample size (6 interviewed and 86 survey responses) represents a limitation, for the results allow for no generalization. However, it should be noticed that this article is part of an ongoing research, so further research will be made in order to provide a more accurate understanding of the challenges faced by managers to construct the competences in the Brazilian Judicial branch.

Questionnaires' analysis

Eighty-six servers in the six selected public examinations answered the questionnaires. Fifty-six servers are working for at least three years in the respective institutions and work in various areas: human resources, administration, legal, accounting, social assistance, and others. Only 20% of them have changed positions and only 30% hold or have held a position of trust.

Although about 88% have answered that the activities carried out in the position in which they were sworn corresponded to the attributions disclosed in the notice, half of the servers (52%) revealed that the competences assessed in the examinations were not sufficient for the proper practice of their work – the reasons pointed out focused on the lack of measurement of practical skills and attitudinal aspects (such as proactivity, commitment and dedication). This reinforces that, as far as competences are concerned, the examinations only assess the knowledge dimension.

When the topic is training, which might allow the development of competences, 65 servers (75.6%) indicated that they never received any type of training, and those who answered they had received some training revealed that it was not relevant or was superficial.

When asked about what motivates them most in their careers in the institutions, the item that was given the greatest weight was stability, followed by salary - confirming the results of Albrecht & Krawulski's (2011) study.

When questioned whether dedication is recognized for career development, the group of servers was exactly divided: 50% answered "yes" and 50%, "no". Among the servers that answered "no", almost half of them (49%) pointed out that there is no meritocracy, differentiation by productivity or that progression in careers is by length of service; among those who answered "yes", 22% believe there is meritocracy.

Regarding the question about what was decisive for the good performance in the position(s) that the candidate occupied in the institution, the items with greater weight were the technical and theoretical knowledge and the interpersonal skills. This perception is also found in the question related to the competence that the server considers most relevant for the good performance of his/her immediate boss - which would indicate his/her perception about effective leadership and would pinpoint a criterion for ascension - the answers largely (72%) pointed to theoretical and technical knowledge and interpersonal skills.

Regarding the knowledge that servants have of the institutions' missions, about 70% affirm to have a general knowledge of or not to know them, and only 30% affirmed to know them well. This is reinforced by the fact that most of the servers (64%) have stated that they continue to study for public examinations, that is, the servers are not linked to a specific institution, but aims at stability, higher salaries and better career prospects.

Among those who no longer study for public examinations, only 20% answer they are satisfied with the institution they work for; another 7% indicate they want to work in the

private sector; all other answers fell in an open answer option, and pointed to various aspects such: "I don't have the time", "I have other projects" or "I'm tired of studying".

For those who continue to study for public examinations, 30% of respondents pointed out that the main reason is "This was not the contest I always wanted" and 27% marked "the career does not motivate me", but 42% of respondents opted for the open answer option. Open answers were divided between "aiming for more remuneration" and "professional growth", or similar terms.

Interviews analysis

The interviewees responded in group or individually and were occupying managing positions in administration or Human resources position. From the analyzed sample only one had previous experience in the private sector, all the others always worked in public organizations. A curious fact is that the servers in managing positions have worked for more than 14 years in the institution, what demonstrate that there might be a growth possibility in the career, although it is slow. On the other hand, most of the interviewees were in managing position for less than a year, what can be related to a political choice of their immediate superior, normally the President of the institution. This fact is pointed out by one of the interviewed, when explaining the difficulty of growth because every 4 year – or two years - the superior administration changes. But it is not possible to affirm this relationship because of a lack of quantitative data.

When the interviewees were asked about their perception of HR management in the public sector, there was an overall concordance that it is fragile, and explained that when the servers enter the institution there is a lack of knowledge about the public sector's functioning and about the organization of the judiciary. People enter the public service without the perspective of the hugeness of their institution's mission.

Although the interviewees agree that the CNJ brought some unicity to all the judiciary and developed procedures for the competence development, there is no continuous project, HR competence mapping or strategic Human Resources, and they assign this problem to the rotations of the higher administration. The argument is that the procedures will only be followed if there is a law.

When asked if the goals, mission, and vision are disseminated in the institution, the general answer was that the servers know little about mission and vision. This answer is in alignment with the survey applied to the servers. An effort to disseminate the institutional mission and vision takes place in the certification process of some areas, when training is offered that covers these aspects. Nevertheless, it seems to be an incipient movement, restricted to some areas.

The interviewees also responded about the vantages and disadvantages of public employment exams. Unanimously they agreed that the exams to enter public administration is constitutional, necessary and avoid corruption, but, on the other hand, those who enter in administration levels are young, with a good technical/ academic knowledge, but with a lack of experience.

After entering the public sector, the servers have their job requirements established, but there is no supervision, performance evaluation or a reanalysis of their responsibilities.

Some institutions have a training program to clarify specific aspects of the jobs and to give an overview of the institution for the newcomers.

When asked to identify the lack of competences of the servers after entering the public sector, the managers said that new servers have a very high level of juridical knowledge, but do not know about judiciary organization, and lack in behavioral abilities and lack in aplomb.

The following question analyzed if the institution had a competence develop program, and which competences are more required for the servers' career.

The development programs are all related to courses, mostly about systems or a constitutional obligation to evaluate the server in probationary phase (3 years). One of the interviewed groups explained that the judiciary is working on a system where servers in probationary phase evaluate each other with pre-defined competences - attendance, punctuality, commitment, responsibility, proactivity, and initiative. Although it is still a project, if implemented, and if continuously followed up and developed by the judiciary the results will benefit the institution.

When the interviewees were asked what aspects should be required in the public exam the answers were in different directions. Some managers responded that there should be more leadership-oriented questions, and practical managing questions. Others described a necessity to approach the job description and practice into the exam questions. Another group described other knowledge competences such as informatics, civil procedure, and others.

When asked about the institution's turnover, the responses relate the high turnover quote to a low salary and no career plan. And all the interviewees explained that the new server start excited but lose their motivation gradually over time.

Conclusions

Confronting servers and HR managers answers, a clear confluence of perspectives about competence management in public organizations is evidenced.

In this sense, it is possible to indicate a convergence of the servers and the HR managers responses about the slowness of professional growth, which reflects that 80% of the servers have not changed their job area since their entry (65% of servers are working between 3 to 5 years in the institution) and only 30% have held a trust position since start working at the public sector.

Regarding the competences assessed in the public examinations, both interviewees and servers, affirmed that the new entrants have good technical and theoretical knowledge, however, they have lack of practical knowledge, skills, and attitudinal attributes.

About the servers training, about 75% of the servers indicated that they never received any type of training, and those who replied that they had received training, explained that it was not relevant or superficial. This trend is confirmed with the servers' responses, that most of the training offered only happened during the probationary stage because the servers should be evaluated at the end of this period, and it is mandatory.

Regarding the performance evaluation, both interviewees and servers said that it practically does not exist, or it only exists during the probationary period. When performance evaluation is made, effort is not measured, i.e., there are no meritocratic criteria. The

interviewees, however, bring an interesting data about the constant change at the high management (it happens every 2 years or 4 years), and its consequent impacts on the lack of continuity of the competence mapping programs and improvement of the HR strategy.

With respect to the knowledge level about the mission, vision and values of the institution we have the same answer in the two groups (HR managers and servants): both affirm that there is superficial knowledge about the institution purpose.

In relation of the servers turnover, the responses between the two groups is the same, both said that the evasion rate is high, the reasons why the servers leave the positions are confirmed by the interviewees and the servers, they seek for better salaries and more attractive career plans."

The TCU (2013) and Dutra (2009) studies results remain unchanged. The lack of development of other competences discourage the servers in a longer range. Both, servers, and managers do not have a clear vision of their attributions, they do not know what competences are required, there is no evaluation, or career plan.

There are no objective criteria to allow the server to be motivated and visualize ways to grow in the career. In addition, the lack of knowledge about the mission of the institutions is clear in the response of the servants, and the interviews confirm the lack of initiative by the HR area in this aspect.

Regarding the absence of evaluation programs, the servers' development in the career is only based on seniority.

To put simply, the researched institutions do not present even the first stage of competence development, according to the CNJ methodology. The main reasons seem to be:

- there is no interest/ time of the superior administration to invest in this area.
- judges or prosecutors or public Defenders, controls a considerable amount of servers, but never had ever learned managing skills, they are normally young, have a highly juridical level, never worked elsewhere and do not have business skills.
- such a move requires effort and resistance is expected, so the energy spent is not worth it.
- as there are many other problems to solve, the investment in Human resources is not a priority, does not give visibility for the superior administration, on contrary, allows resistance inside the institutions.

Managers reveal no in-depth knowledge about competence management and its impact in HR processes. This certainly roots an insufficient awareness and proactivity in the actions directed to the management of competences, as well as the poor effectiveness of the actions carried out. This should be a central point of attention of any effort in people management, in any organization, public or private.

Although SDG established a frame of reference to guide public policies and CNJ established a framework regarding competences, the research concludes that the commitment of the analyzed institutions to strengthen their missions and make it able to effectively translate sustainable development policies into concrete actions are still incipient.

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