

MINISTRY OF EDUCATION AND
TRAINING

MINISTRY OF HOME
AFFAIRS

NATIONAL ACADEMY OF PUBLIC ADMINISTRATION

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**WORKING REGIME OF THE PUBLIC SECTOR IN THE
MARKET ECONOMY OF VIETNAM**

**Speciality: Public Administrative Management
Code: 62 34 82 01**

**THE SUMMARY OF THE THESIS FOR A DOCTOR'S DEGREE
THE PUBLIC ADMINISTRATIVE MANAGEMENT**

Hanoi – 2016

The thesis is done in:
NATIONAL ACADEMY OF PUBLIC ADMINISTRATION

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**The dissertation will be defended at the thesis marking
Council, National Academy of Public Administration
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National Academy of Public Administration: Number:
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Time: at day month year**

INTRODUCTION

1. The importance of the thesis

Human resource is always an important resource of any organization including human resources of the public organizations. At present, the study of working regime in the public sector (PS) is urgently needed, stemming from the following basic reasons:

First, the role of the public sector

Second, the structural changes of the working regime from centrally planned economy to market-oriented economy.

Third, the inadequacies of career-based public service management model in the state sector

Fourth, the working regime in the PS of Vietnam is currently facing many challenges such as globalization and international integration, changes in technology, the emergence of new jobs and diversity of occupations which create more opportunity to choose for the future labor force, the formation, development and selection of labor market, competition for high-quality human resources, intellectual enhancement.

Fifth, the weaknesses in the legal system.

Therefore, the selected thesis is: "The working regime of the public sector in the market economy in Vietnam," with a desire to clarify the theoretical issues of the working regime, to evaluate practices of the working regime in the market economy of Vietnam and to give the scientific foundation to make the working regime relevant to the PS.

2. Research aims and tasks

2.1. Research aims

On the basis of theoretical and practical studies of the working regime of the public sector, the thesis clarifies theoretical issues, supplies and proposes scientific perspectives and solutions to complete the working regime of the PS in Vietnam.

2.2. Research Tasks

Based on the research aims above, the thesis set out the following basic research tasks:

- To systematize theories of the working regime of the public sector to clarify the theoretical basis of the thesis.

- To analyse the impact of the market economy on the working regime of the public sector.
- To research experience on the working regime of the public sector in some countries of the world.
- To analyse and assess the current status of the working regime of the public sector in Vietnam market economy condition to address the hard-solving problems.
- On the basis of understanding theoretical and practical issues of the working regime of the public sector to set out scientific perspectives, solutions in order to improve the working regime of the public sector in Vietnam market economy.

3. Research subjects and scopes

3.1. Research subjects

Research subject of the thesis is the working regime of the public sector in the market economy including overall rules governing the relationship between employees and employers.

3.2. Research scope

The scope of content:

- The working regime of the public sector in the market economy is great, diverse and complex. When researching the working regime, we can make different approaches in many aspects such as the content of the working regime, its components, state policies of the working regime, working regime management, the relationship between the working regime and market economy... So I only focus on researching and interpreting the following contents: the concept of the working regime of the public sector, the impact of market economy on the working regime of the public sector, its components.
- Public sector is a term with many different approaches and within the thesis public sector is considered the same as state sector and the thesis focuses only on the working regime in organizations of state sectors rather than in state enterprises.

The scope of space: The thesis researches the working regime of the public sector in market economy condition of Vietnam.

The scope of time: The thesis researches the current status of the working regime of the public sector in Vietnam from the period of national renewal in 1986 up to now.

4. Research Methodology

4.1. Methodology: The thesis is done on the basis of the methodology of dialectical materialism and historical materialism.

4.2. Research Methods

To research, the thesis adopts the following methodology:

Secondary analytic research methodology: Secondary analytic research is the work related to the working regime of the public sector in market economy.

Interviewing experts. Under this method, two groups of experts have been interviewed; First, the group of administrative experts on issues in theory and practices of the working regime of the public sector. Second, the expert group is practitioners of human resource management in PS in order to clarify more practice of the current working regime.

Comparative methods analyses the similarities and differences in the characteristics of the working regime of public sector and private sector, also foreign experience on the regulations in the working regime of the public sector in the market economy.

Workshop method: During the study of the thesis, its content has been presented in discussions, workshops at the Faculty where I am working. I have acquired comments, discussion of the scientists at the Faculty. On the basis of the information gathered, I analyse, evaluate, review in theoretical and practical perspectives, thereby, to draw conclusions, scientific recommendations which are consistent with the theory and practice of the working regime of the public sector in the market economy in Vietnam.

5. Scientific hypothesis and research questions

5.1. Scientific hypothesis

Working regime is seen as the overall legal regulations formed by the relationship between employers and employees, jobs and job management.

The market economy is impacting PS and working regime of PS, so the state must adjust the working regime in order to suit the prevalence of the market economy.

5.2. Research question

To prove the scientific hypothesis mentioned above, on the basis of theoretical and practical studies of the working regime, the thesis has focused on answering some following research questions:

1. How does the working regime need to be understood in the most comprehensive way?
2. How does the market economy influence on PS and thereby the working regime of PS?
3. In Vietnam, What traits does the working regime of PS have and how it is affected by the market economy?
4. To build the working regime of PS in Vietnam, which contents should be focused? Why?

6. Contribution of the thesis

6.1. In theory

The thesis contributes scientific arguments, brings about oriented scientific viewpoints and solutions in order to improve the working regime of PS in condition of market economy in Vietnam. Namely:

- Adding, developing some theoretical contents of working regime, working regime of PS in market economy in general, in Vietnam, in particular.
- The thesis has clarified the concept of the working regime of PS, based on the relationship between employers and employees, specific contents of the working regime
- The thesis has clarified the impact of market economy on working regime.

6.2. In practice

The thesis researches and assesses the status improve the working regime of PS in condition of market economy in Vietnam, which has made certain practical contributions as follows:

- It has provided the overall picture of improve the working regime of PS in Vietnam, that is components of working regime, working regime content and especially the system of laws and regulations governing the working regime of PS in Vietnam from 1986 to present.
- The results of the thesis has practical significance in completing the working regime of PS in Vietnam. The thesis can be used as: documents for specialized training for organizational and personnel management of National Academy of Public Administration; references for individuals, agencies and organizations working in research, teaching and learning in public administration; administrative personnel management; valuable references for

decision- makers and implementers of public policy in the field of human resource management in Vietnam, especially in the PS;

- From the research results of the thesis, we can continue to develop further research on the working regime and human resource management of the public sector.

7. Structure of the thesis including: Introduction, 4 chapters of contents, conclusion, list of published of the thesis, list of references and appendices

B. FINDINGS

Chapter I. OVERVIEW OF RESEARCH ISSUES

1.1. RESEARCH WORKS ON PUBLIC SECTOR, WORKING REGIME OF THE PUBLIC SECTOR IN MARKET ECONOMY CONDITION

So far there is no uniform understanding of the public sector and clear determination of the activities of the PS. Therefore, when studying the working regime of the PS, it is necessary to research the approach of PS and management contents of PS to understand the peculiarities in the working regime of PS.

Studies have shown the approach to people working in the PS and application of law to manage each target group; the role of the state for the development of each country. The state not only intervenes in the market to overcome with disabilities and limitations of the market, but also conducts (directly or indirectly) any activity in the PS. Determining the extent of involvement of the State in providing public goods reasonably and manage the sector effectively is a challenge to the nation.

However, the thesis only clarifies the content of the civil service law but not clarifies the contents of the working regime of public sector.

1.2. RESEARCH WORKS ON HUMAN RESOURCES MANAGEMENT IN PUBLIC SECTOR

In the content of working regime, labor relationship between employers and employees is an important content. To understand the relationship, the study of human resource management in public sector helps to make it clear. Therefore, when studying, I have

studied human resource management of PS and developed the research content.

Working regime in PS is a content which has been mentioned in many research works, but it is not systematic and under different approaches.

1.3. RESEARCH WORKS ON THE CIVIL SERVICE, PUBLIC SERVANTS

Civil service is a type of employment in PS, thus learning about research work of the civil service and public servants help to see the overall picture of work and employees in the state sector, public sector. It also helps me focus on studying contents which have not been mentioned or need supplementing and developing in the working regime of the public sector in the market economy in Vietnam.

For the group of civil servants in Vietnam with working regime under payroll, state-guaranteed lifetime there were some topics, books and research works addressing this issue in different perspectives. The works mainly focus on:

- The study of the civil service and civil servants
- The study of public service management model
- The study of the law on civil service, civil servants

The contents of this study have been concerned by research institutions such as research in the Ministry of Home Affairs, National Academy of Public Administration, Office of the Government ... In these studies, a lot of issues have been clarified, such as building cadres, public servants and improving the quality of cadres, civil servants and legal system of the civil service, civil servants, civil service management models, contents of civil service and public employees management, reform of civil service, civil service of other countries, civil service, civil service regime...

The researches above just mention to building and improving the quality of cadres and civil servants without mentioning the working regime of the target groups who are undertaking the work of PS.

1.4. EVALUATING THE RESEARCH RELATED TO THE CONTENT OF THE THESIS

The research work at home and abroad related to the content of the thesis that I have synthesized, mentioned the following issues:

- Public Sector Management

- Management of public sector human resources
- Civil service and public servants
- Working regime of the public sector in the market economy.

Overall, researches have referred to the contents related to the working regime of PS.

The problems which have not been solved thoroughly need to be studied, including:

Most studies mentioned above have referred to working regime in different approaches. This is a useful resource for me in the process of studying the thesis. However, the studied working regime has just referred to a few contents, these studies have not yet been systematic and not been done further in Vietnam. Namely:

- In theory, working regime of the public sector in the market economy has not been studied systematically, so it is necessary to continue studying about concept of working regime, components of the working regime ... which are still new issues and need further research.
- The studied working regime of public sector have not clarified the issue of employment, forms of appropriate employment and work management and especially the impact of the market economy on the working regime.
- Research on human resource management of PS has not been set in relation to human resource management of private sector.
- Working regime has not been made clear in the market economy. Therefore, in this thesis, the author will systematize theory on working regime of PS in Vietnam under the impact of the market economy.
- There have been no published documents or works regarding working regime of the public sector in the market economy in Vietnam. Therefore, the continuation of theoretical studies on working regime of the public sector in the market economy conditions and proposal for solutions in order to improve the working regime of the public sector in Vietnam are necessary.
- In practice, there have been no assessment of legal regulations on the content of working regime of PS in Vietnam, so I will go into research and evaluation of the issues.

Obviously, these studies above have provided a very important precondition for me to continue to study the thesis of the working

regime of the public sector in the market economy in. Many research contents of the former author will be inherited in the thesis research content. However, I also find that the issue of working regime of PS is difficult to determine and complex and lacks scientific and practical basis for managers to select an appropriate working regime for each stage of development of the State. Specifically:

- The concept of the working regime of the public sector in the market economy in Vietnam
- Components of the working regime of the public sector in the market economy in Vietnam. Namely: the relationship between employees and employers, type of jobs, system of legal provisions on working regime.

Therefore, it is necessary to have a further in-depth research to develop the content and to build the scientific foundation to help complete the working regime of PS to suit the conditions of Vietnam market economy. Thereby, it can contribute to the effectiveness of management and utilization of human resources in the PS.

For all the contents mentioned above in studies, the selection of the thesis “the working regime of the public sector in the market economy in Vietnam” is consistent with the theory and practice.

Chapter 2.

RATIONALE FOR WORKING REGIME OF THE PUBLIC SECTOR IN MARKET ECONOMY CONDITION

2.1. WORKING REGIME OF THE PUBLIC SECTOR

2.1.2. *Public Sector Overview*

The term public sector is not universally accepted in different countries. PS can be used similarly to the state sector and PS can also be understood wider state sector.

Within the scope of the thesis, I use the concept of PS similarly to the state sector because the state is the owner of PS. PS is a collection of many agencies and organizations established by the State operating under the functions, objectives and operating regulations, budget of the State in order to serve the common interests of the society including the characteristics (i) agencies,

organizations established by the State in order to serve the interests of the State and thereby serve the interests of citizens; (ii) their objectives and operational regulations are decided by the State; (iii) funds to ensure the operation of these organizations are allocated from the State budget; (iv) the State is responsible for the regulations for agencies, organizing activities and legal control of their activities.

2.1.2. Concepts of working regime of public sector

2.1.2.1. Concept of "working"

The concept of working is approached in many different angles, and within this thesis, the notion of working under public management perspective is employment, employees and employment management as provided in the legal system. Thus, *working is act of labor to create a product or service, generate revenue, not being prohibited by law as stipulated in the legal system.*

2.1.2.2. The concept of "working regime"

In the current documents, there is no specific definition of what is working regime but only the approach of the working regime is referred.

Working regime is the form of job organization and management formed by the overall regulations governing the relationship between employers, job and job management

2.1.2.3. The concept of "working regime of public sector"

Working regime of public sector is the form of public sector job organization and management formed by the overall regulations governing the relationship between employers as the State, state organizations and employees working in the State in charge of job and job management.

2.2. MARKET ECONOMY AND ITS IMPACT ON THE WORKING REGIME OF THE PUBLIC SECTOR

2.2.1. Overview of the market economy

Market economy generally covers the basic key elements such as: subjects of the market economy; the integrity of the market system; the price system; operating mechanisms of the market economy; the role of the state.

2.2.2. The impact of the market economy on the working regime of public sector

The development of market economy impacts on many areas, including the impact on working regime of PS.

First of all, the nature of the market economy is freedom competition. When the market economy develops, it leads to many new jobs so that labourers have more choices while the state find more difficulties in management.

If earlier, job in the PS is considered the most attractive in terms of stability and safety but nowadays the appearance of other areas with attractive new jobs and higher incomes are choices for the potential workforce. Therefore, while maintaining "unequal playing field" and no competitiveness in job opportunities with worthy remuneration, organizations of PS increasingly lose the opportunity to recruit talents.

Second, the market economy is operated under the market laws which have positive impact on social life such as liberating individuals involving in the economy from its dependence on the plan, bureaucratic administrative orders... and creating conditions for them to become autonomous subjects of economic activity which will affect the establishment of employment relationship. The market economy develops employees to become subjects with certain independence, rules of effective competition, its maximum benefit break many different concepts and relationship of the old mechanism, urging individuals to promote their full potential.

Third, in condition of market economy, open economy, it requires states to quickly create a comprehensive system of economic institutions, administrative institutions in line with common international practices; to renew the organizational apparatus, to innovate the way of employee management, to improve the qualifications, competence and responsibility of officials and public servants so that they can be able to integrate into the international, regional communities. Therefore, it is necessary to improve institutions, and working relationship in the PS.

In the market economy, the "openness" and the dynamics of the labor market have actually created job opportunities for high -quality labourers. Relations between employers and employees in the market economy are established by independent decisions. Accordingly, employees and employers have great freedom in deciding to start, change or terminate this relationship. Thus, all organizations, both in public and private sector, are facing major challenges in attracting,

maintaining and efficiently using human resources of their organization.

In summary, the movement of the market economy based on supply and demand relationship will have an impact on many issues including the working regime of PS. The working regime of PS requires flexible changes in the relationship between employers and employees in line with the market economy.

2.3. THE ELEMENTS OF WORKING REGIME OF THE PUBLIC SECTOR IN MARKET ECONOMY CONDITIONS

2.3.1. Subjects of the working regime

2.3.1.1. Employers of PS

Employers secure the rights of employment for workers in cases as prescribed by law. Law guarantees workers to have the right to work for any employer in the public and anywhere where not prohibited by law.

For organizations of PS, employers also perform the rights and obligations within this framework but it is specified separately in the legal system of PS to suit particularities of employment in the PS.

2.3.1.2. Employees of the public sector

There are large numbers and different types of employees in PS. Depending on the purpose of classification, there may be many different classifications such as classification by degree, qualifications; by the nature of operations of agencies or organizations; by the hierarchy in the organizational structure of the state apparatus, by industry (professional), rank (level) and grade (position); by types of resources formed in state agencies; People working in the PS can be classified by groups of civil servants and employees, contract workers, or another name ...

2.3.2. Public sector jobs

Public sector jobs are very diverse, abundant to provide public services to social life. In condition of the market economy, the State operation changes, then jobs in PS will also change to meet the needs of the people and meet the duty of the State.

2.3.3. Working forms of public sector

2.3.3.1. Regular work

Regular work is a form that people working in the organization are assigned jobs with regularity.

2.3.3.2. Irregular work

Irregular work is fairly common form of work in the market economy

2.3.3.3. Working under labor contracts

In essence, the labor contract is a form of commitment between the parties, one who has the demand for hiring labor and the other party who want to hire labor on matters of labor relations.

For PS, working regime is also reformed towards emphasis on the constraints of labor relations in the form of contracts.

The object of the labor contract is "jobs" that workers must perform. Job is agreement between the parties, through which the establishment of labor relations is formed.

2.3.3.4. Working under the flexible mechanisms

Working under the flexible mechanisms is a trend in today's job management. Some models of working under flexible mechanisms are being applied to both the private sector and public sector in the world today, such as job sharing, allowing employees to work in different times, in some organizations, professional responsibility of employees is mainly associated with the project, as soon as a project is completed, employees will continue to implement the next project, communication is a method which can incorporate the benefits of other methods in selecting suitable system of working hours.

2.3.4. Contents of working regime of public sector

2.3.4.1. Recruiting employees who work in the public sector

Recruiting people to work for PS is strictly regulated from the reception procedure to the maintenance and termination of labor relations. The recruitment must comply with the recruiting bases - which help us easily identify its different properties compared to other forms of recruitment. These bases are primarily prescribed by law including recruitment targets, labor demand.

Recruiting people to work for PS has many forms including consideration, competitive recruitment, job assignment.... In the market economy with mechanism of competition, equality for all subjects, the forms that states primarily apply to recruitment in PS is competitive recruitment, job position-based recruitment

2.3.4.2. Labor discipline in the public sector

In the working regime, regulations on labor discipline is mandatory contents to ensure the operation of the organization and ensure a healthy relationship between the two parties, one who are employers

and the other who are employees in labor relations. Labor discipline in PS is the system of rules and regulations forcing workers in the public sector to strictly obey.

2.3.4.3. Training and retraining in the public sector

In PS, training and retraining is not only to improve the quality of awareness, professional expertise, skills of cadres and public employees to meet the development requirements of the organization, and the training and retraining associated with other purposes and requirements of the State.

2.3.4.4. The rights and obligations of people working in the public sector

In PS, obligations of employees are often specified and bound by the specific form of liability. It is the duty, mandatory tasks for the implementers, they are bound by certain forms of liability.

The rights and obligations of people working in the PS create their legal status, position in the Public Service. The rights of people working in the PS is legal means for them to perform public duties, and their duties are obligations, what they have to do to commensurate with their management positions, their professional positions.

2.3.4.5. Wages in the public sector

In PS, salary is the amount that the state agencies and organizations pay to employees under the policies of the state and is shown in the salary scale as specified by the state. In operation of civil service, salary plays a particularly important role, as one of the prerequisite to attract and retain talented people to participate in activities in the PS, avoiding brain drain from public sector to the private sector.

2.4. WORKING REGIME IN THE PUBLIC SECTOR OF SOME COUNTRIES IN THE WORLD

2.4.1. Working regime in the public sector of the US

US working regime is the position-based working regime. In this working regime, the provisions concerning labor relations are specified in the direction of openness and competition in the PS. This regime enables the implementation of goals from employment positions to select the right person for the task and responsibilities.

2.4.2. Working regime in the public sector of Japan

Japan is a country with many reforms of working regime in the public sector. Japanese civil services are open for those who have capacity and desire to become civil servants.

2.4.3. Working regime in the public sector of ASEAN countries

Each sector will have different working regimes and PS also has its own regulations on the working regime for different groups of workers in terms of job position classification, for the form of work, for training, attracting talent, evaluating staff, civil servants, position-based recruitment, organization and operation of trade unions

Chapter 3.

ASSESSMENT OF WORKING REGIME OF THE PUBLIC SECTOR IN CONDITION OF MARKET ECONOMY IN VIETNAM

3.1. PUBLIC SECTOR OF VIETNAM IN MARKET ECONOMY CONDITIONS

3.1.1. Vietnam market economy since 1986

In the process of innovative theoretical and practical thinking, perception of socialist economy developing from low to high so far has gone through three ladders corresponding to the three stages of economic development: Stage before 1986; Period since 1986 - 2001 and the period from 2001 to the present. Especially in the period from the Sixth Congress (1986) to the end of the Congress VIII (2001). Comprehensive Innovation of structure and operating mechanism of the economy whose the main content is to remove subsidised- planning mechanisms, develop multi- component economy, operating under the market mechanism, with the state administration, with a socialist orientation.

Vietnam has gradually formed completely, uniformly market factors and types of market, operating smoothly, linked to the regional and international market.

3.1.2. Characteristics of Vietnam public sector in market economy conditions

In socialist – oriented market economy in Vietnam, PS in the development process has its own characteristics and encounters challenges as incomplete institutions of economic management,

changing role of the State, state agencies failing to act as a service supplier to citizens ...

- PS in Vietnam has to develop under rule-of-law orientation, all operations of PS comply with legislation but in reality, in socialist – oriented market economy in Vietnam, economic management institutions has not yet been complete, affecting PS.

- PS develops under the state orientation, focusing on developing market economy to contribute to the realization of national development goals

- Vietnam PS implements policies of active integration into the world economy while ensuring independence and autonomy in the country's development in all areas so that we are able to withstand all of the age and overcome global economic crisis.

- In market economy following the rules of supply and demand to gradually overcome the monopoly status. The market economy develops, the PS also follow the rules of the market.

- PS performs state management functions, provision of public services.

3.2. REALITY OF ELEMENTS OF WORKING REGIME OF THE PUBLIC SECTOR IN MARKET ECONOMY CONDITION IN VIETNAM

3.2.1. Jobs and the subjects of the PS in the market economy condition in Vietnam

3.2.1.1. Public Sector Jobs

With concept of public sector - state sector as above, we can divide it into two operating groups of public sector that any nation must have, and so does the public sector in Vietnam. Working system corresponds to the two groups of public sector:

- Operating group that exercises public power to manage society.

- Operating group that has nature of production and supply of goods and services to society.

These activities are carried out through various forms:

Firstly, the State organizes production, provides services and goods for society in the form of the goods for social needs (public goods) as well as goods to serve personal needs (personal goods)

Second, the State purchases products, goods and services of economic entities in the area of the state to provide the society and the state under the direct purchase and sale mechanism on the market

or under the contract between the State and other economic sectors, not the state.

Third, the government spends money, grants, hire other economic subjects to create commercial products and services to provide for the society or offer other forms of tax incentives and credit interest rate or other physical conditions.

3.2.1.2. People working in the public sector

Within the scope of the thesis, PS is accessed similarly to state sector, so people working in the public sector is a collection of all people who work in state organizations, receiving state salaries and enjoying other benefits concerned with money from the state budget. In Vietnam, numbers of people working in PS are large with many different types.

3.2.1.3. Subjects managing people who work in the public sector in Vietnam

In our country today, the management system of management subjects and employees in the public sector including:

- Senior Human Resources Management: Central Commission for Mass Organization
- Management of the civil service and public servants: Ministry of Home affairs
- The line management bodies in terms of Organization and Personnel including: Departments of Home affairs of provinces and municipalities directly under the Central Government, a specialized unit of Home affairs at the district level; Bureau of Organization and Personnel in the ministries, ministerial-level agencies and Government agencies; Organization and Personnel departments in non-profit units
- Management of pay and financial regulations: Ministry of Finance
- Management of labor regime: Ministry of Labour and Social Affairs; Ministry of Home affairs
- Management of Salary and insurance after retirement: Social Security

3.2.2. Working regime of public sector in Vietnam from 1986 to now

First, since 1986 until now the system of legal documents adjusting working regime of PS in our country, though has not yet been

complete, but basically the contents of the working regime have had these regulations in the legislation system.

Second, the characteristics of the PS in our country is that employees enjoying pay from the state budget are large and diverse, so there should be more laws to adjust objects of different working people in the PS in our country demonstrating labor relations with identifiable characteristics of each working group in the PS in our country.

Third, the system of legal documents on the working regime in our country has gradually improved and supplemented.

Fourth, work forms differ with each working group in the PS for the group of civil servants under payroll, state-guaranteed lifetime and public employees with work contracts and contract laborers in accordance with Decree 68/2000 / ND-CP of state agency.

Under the impact of market economy, working regime has changes that is autonomy in staffing of the agencies; form of labor contract is more focused and is the trend of the current working regime; classification of public servants; Recruiting people to work in the PS; Training and retraining in PS, wages, welfare regimes in PS, Rights and obligations of people working in the PS; Labor discipline in the PS.

3.3. EMERGING ISSUES FOR COMPLETING WORKING REGIME OF PUBLIC SECTOR IN CONDITIONS OF MARKET ECONOMY IN VIETNAM

Analyzing the status of the current working regime in Vietnam has posed problems to be overcome to perfect the working regime of the public sector in the market economy in Vietnam.

Firstly, the issue of awareness of the importance of the working regime of the public sector in the market economy in Vietnam is limited, especially when Vietnam is facing many challenges from the need to develop market economy such as globalization, scientific and technological change, job diversification, labor market development ... Job management agency and people working in the PS do not really care about equal job relations, quality of jobs, number of jobs, job characteristics of each working group...

Secondly, the legal system to adjust the contents of the working regime is limited, resulting in restrictions in management practices, use of workers in organizations of the PS.

Thirdly, work forms and content of working regime in Vietnam lacks flexibility in the market economy in Vietnam.

Chapter 4.

COMPLETING WORKING REGIME OF THE PUBLIC SECTOR IN THE MARKET ECONOMY CONDITIONS IN VIETNAM

4.1. VIEWPOINTS OF SCIENCE TO COMPLETE WORKING REGIME OF THE PUBLIC SECTOR IN THE MARKET ECONOMY CONDITIONS IN VIETNAM

4.1.1. Completing working regimes of public sector should be put in development of market economy under socialist orientation and international economic integration

Flexible working regime adapts to development of market economy to complete working regime which have set out the following requirements:

- It is necessary to have a consistent, clear legal system of the working regime of PS.
- Each group of people working in the PS with different characteristics should be discriminated in the working regime to better suit each target group.
- Applying models of working position in PS, reform of wage regime and remuneration, flexible working forms, forms of labor contracts...
- The contents of working regime in the PS need to change to adapt to the conditions of market economy in our country.

4.1.2. Completing the working regime of public sector in Vietnam has to attach to the administrative reform, especially reform of the civil service and public servants

Reform of the civil service and public servants in our country helps complete the work of PS regime which stems from:

Accomplishing job-based civil service management models towards building job placement system with full employment requirement, those who take on the job is the basis of building the content of the working regime.

Downsizing is implemented with determination of the Party and Government.

4.1.3. Completing working regime of public sector under flexible trends, applying success in the working regime of private sector

Management models were put into law by many countries, but in fact it remains unspecific, that is the way to "manage people associated with salaries and work performance, performance-based pay".

PS working regime may also apply the flexible staffing regime that many countries are concerned.

Along with the emergence of the flexible staffing regime, the companies which specializes in providing flexible workforce (flexible Staffing Company) were born.

4.2. SOME SOLUTIONS TO COMPLETE WORKING REGIME OF THE PUBLIC SECTOR IN THE MARKET ECONOMY CONDITIONS IN VIETNAM

4.2.1. Innovating thinking on the working regime of public sector in market economy condition in Vietnam

Innovating thinking on the working regime of public sector is an important solution in the current period.

The ability to apply the experience of the private sector into the public sector has always been limited because of different nature of resources to pay for employees to work for that organization.

Working regime of public sector is associated with many rules and regulations separately; many relationships. On the other hand, working regime change is associated with change of other regimes, such as wages, social welfare (social security (pensions), health insurance, unemployment insurance, etc.).

Accepting unemployment must be seen as a new way of thinking to reform, to change the working regime in public sector.

Many countries around the world are applying mixed model of career (Career) or job (position- job) and this is also something to consider, think when switching the working regime in Vietnam.

4.2.2. Perfecting the system of legal documents in management of employees in the public sector in market economy condition in Vietnam

Developing specific legislation for adjustment of each type of labor in the public sector

Civil Service Law is promulgated to regulate groups of performing civil service duties associated with power, namely the group of administrative employees. The enactment of the Civil Service Law

will enable to build formal, modern administration, meeting the requirements of management tool system in the market economy, international economic integration.

Civil Service Law should stipulate the content of the working regime for civil servants in terms of recruitment, contract of public duty enforcement, salary, training, evaluation, reward, discipline, rights and obligations ... of public servants.

Revision of Law on public employees in the direction which is closer to the provisions of the Labour Code creates a level playing field with other organizations in providing public services.

For electoral groups, it is possible to issue a separate regulation of adjustment for this group to meet the nature of the working regime.

4.2.3. Innovating forms of work and contents of working regime of public sector in market economy condition in Vietnam

- Developing work contract mechanisms with a variety of contracts for different groups of people working in the public sector

Those who work in PS are state-guaranteed *through commitments in the form of work (for all subjects who work for the public sector)*, specifically between the state and the workers.

Working regime should use work contract for all subjects in the PS but there will be many different types of contracts: contracts according to class, grade; Contract according to job placement applied to non-profit units and responsibility – based contractual regime for people working under the system of election; Labour Contract for simple tasks.

From payroll for life, regardless of the quality of work, public employees can switch to contract mechanism to complete management, facilitating workforce salaries for civil servants as a result of public duty enforcement. It is possible to apply public duty performance contracts for all groups, classes, categories of public servants to achieve the common goal of state management.

PS working regime will be more efficient for the organization and the use of human resources as labor relations in the public sector organizations comply with the nature of labor relations based on common principles, employers are those who assign and control work, the workers will have to perform the assigned work and under the control of the employer and get pay.

From forms of work under the contract, the contents of the working regime will be agreed and stipulated in the contract, including recruitment, training, labor discipline, evaluation, payment

4.2.4. Conditions needed to implement the working regime of public sector in market economy condition in Vietnam

- Implementation of innovations in the working regime of PS in market economy condition should have a roadmap to be effective.

In terms of organization, now the agencies, organizations and units in the PS are not fully prepared to immediately implement contracting mechanisms, so it needs to take time to prepare. Gradually handing financial, labourer employment autonomy for agencies, organizations and units of the employers to gradually adapt to the current market mechanisms.

Psychologically, the implementation of contract mechanism for people working in the PS and application of competitive, flexible working regime of the private sector should be prepared psychologically for the whole society as well as those who work in the PS to avoid arising thoughts which are not conducive to innovation.

Management of employees in PS is in accordance with the scientific process.

In terms of financial resources, expansion of budget autonomy, recalculation of the budget revenues and expenditures enable the state to accomplish reasonable remuneration.

- Empowering and promoting personal responsibility of the heads of agencies and units in the process of implementing the working regime of public sector in market economy condition.

CONCLUSION

The working regime of public sector is an important content in the context of administrative reform in our country today. The thesis is a research-intensive work in majors of Public Administration, a comprehensive and systematic research of the working regime of public sector in the market economy.

The thesis has clarified a number of theoretical, practical content of the working regime of public sector while other works or research on this topic have not discussed or mentioned, however it needs supplementing, developing and having more systematic approach, and giving some oriented perspectives and solutions in order to improve the working regime of public sector in Vietnam.

First, the thesis defines the concept working regime is a form of organization and management of job, formed by overall provisions stipulating relations between employers and employees, jobs and job management. The thesis proposes a theoretical framework on the working regime of public sector in the market economy through clear definition of concept of PS working regime, of the scope of PS working regime as a form of organization and management of public sector jobs, which are formed by the overall rules governing the relationship between the employer, that is the State, State institutions and the people who work for the State in charge of job and job management. Besides, the thesis clarifies the elements and content of working regime in the market economy, the impact of the market economy on working regime of PS.

Secondly, the thesis makes an assessment of the current status of the constituent elements of the working regime of public sector in market economy conditions in Vietnam. The thesis also highlights features of PS in the market economy of Vietnam. Study status of public sector working regime in Vietnam, especially focus on analyzing the contents of PS working regime which has been prescribed in the legislation system of our country from 1986 to present. By analyzing the status of working regime, the thesis evaluates the extent of relevance and inadequacy in the current working regime from the perspective of theory and practice. It can be seen that the contents of the current working regime in our country are affected by market economy, so it is necessary to have

adjustment to better fit with the increasingly deep and broad development of the market economy. Thereby to pose problems that need improving for PS working regime in Vietnam market economy. Thirdly, on the basis of theoretical and practical studies, the thesis has given scientific views and some solutions to the working regime of PS in Vietnam market economy.

With a view to improve the working regime of public sector in market economy, improving the working regime of public sector has to be put in context of market economic development and international economic integration; improving the working regime of public sector associated with administrative reform, especially reform of the civil service system and public employees; (iii) improving the working regime of public sector in flexible trends, following the experience of the working regime of the private sector.

the thesis proposes a number of measures aimed at improving the working regime of the public sector in the market economy in Vietnam including: (i) innovating thinking of the working regime of public sector, (ii) improving the legal system of management of employees in the public sector, (iii) innovating forms of jobs and job management of public sector, (iv) ensuring the implementation of the working regime of public sector in conditions of market economy in Vietnam.

With this solution we can help complete flexible, specific working regime for each subject who work in the PS. Working regime based on different form of labor contracts for various working groups of PS will contribute to increase the liability of employers and employees in implementing the assigned job.

LIST OF PUBLISHED WORKS OF THE AUTHOR RELATED TO THE THESIS

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