INDONESIA CONTROL OF CORRUPTION PROJECT EXTENSION

ICCP

DRAFT ACTION PLANS FOR MANAGING HUMAN RESOURCES PROGRAM IMPLEMENTATION

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EXECUTIVE SUMMARY

The purpose of this paper is to propose a draft action plan for various human resources programs for the Indonesian Courts, including the Staffing Assessment Program1 , the Job Description Program, the Recruitment and Career Path Program, the Education and Training Program, and the Organization Structure Program. This paper also discusses in a summary fashion actions needed to strengthen the human resources staff of the Court so that they have the capabilities needed to implement, maintain, evaluate and refine the Court's human resources programs.

The first principle of successful human resources programs is strategic alignment. Human resources programs are aligned with the organization's mission and vision, its strategic objectives and the strategies to implement those objectives. The graphic below articulates this alignment.

Strategic Human Capital Alignment

The second principle of successful human resources programs is that all human resources programs are elements of the human resources system as a whole. The foundation of human resources program is organizing the work to be done into tasks, organizing tasks into jobs, organizing jobs into career ladders and paths and then using this work structure to recruit and retain a well qualified staff. In today's world of the knowledge worker, employees must be trained and educated to maintain and enhance their capabilities and competencies. Their work performance must be

[1] This report fulfills requirement 4 (Prepare a detailed draft action plan for recruitment and career path development.) and requirement 8 (Prepare a draft two year action plan for staffing assessment implementation.) in Ms. Shiplett's Statement of Work for the July 2-31, 2009. A final document will be prepared when as part of Ms. Shiplett September 2009 work on the Indonesian Control of Corruption project.

assessed, and they must be compensated and rewarded for that work performance. The model below demonstrates these relationships.

Human Capital Model

All these programs are included because the Staffing Assessment Program impacts each of these program areas. In addition the paper addresses the need to significantly enhance the capabilities of the Court's human resource program staff. The three sections are as follows:

Section I

- Articulates the purpose and content of the paper and criteria for success.

Section II

- Identifies and defines each human resources program areas
- Provides a discussion and action plan for each affected program.
- Identifies issues for decision or consideration and the reasons these are important for program success.

Section III

- Provides conclusions and next steps.

Section I. Introduction

Implementation of staffing assessment will affect all components of the court's human resources programs, as well as its program for the court organization structure. This draft plan identified the anticipated impacts on:

- Establishing the function or office to manage the Staffing Assessment Program, including the requests for recruitment and transfers and realignment of judges and staff in relation to court workload
- The job description program
- The recruitment and hiring program
- The education and training program
- The restructuring of the human resources office(s)
- The organization structure office/function

For the draft plan, each of these areas treats separately the steps that need to be taken, even though many of the steps are either identical or similar. Ultimately, there should be a single action plan that incorporates all of these components showing the concurrent and sequential actions that need to be taken. However, given the complexity of an integrated plan, it seemed best to define each area plan separately so that the actions which need to be taken can be examined within the context of the particular program area. Once there is agreement on the program area actions, then a consolidated plan can be prepared which integrates the actions to be taken in all program areas. The fundamental implementation steps and actions are similar across all the programs. The changes should improve program:

- Effectiveness is the extent to which an activity fulfils its intended purpose or function. A more common definition is "doing the right thing." In the Indonesian context effectiveness must also include transparency and fairness.

- Efficiency is using the minimum level of effort to achieve the maximum result. A more common definition is "doing the thing right." In the Indonesian context, efficiency also incorporates transparency and fairness.

- Provide an audit trail for every action and decision– Providing an audit trail means that there is a written clear record of the request(s) that are made and that the decision(s) on those requests are available for later review. The audit trail must include who made the decisions and who provided the higher level approvals for the decisions. The audit trail provides both accountability and transparency.   It also provides valuable information to be used in evaluating program processes and results. To the extent that nepotism or other inappropriate factors have historically influenced decisions, an audit trail will help identify these incidences.

- Assure that the decisions are aligned with the court's strategic goals and objectives and are justified based on the needs of the court – This means that the work products are prepared according to the methodology established by the Court and that decisions are based on the officially identified needs articulated in the strategic plan. Alignment with court strategic goals and objectives provides a way to distinguish among the many competing demands for the courts scarce human and fiscal resources and help assure that the decisions made are aligned with the most important needs of the court, rather than the parochial needs of a particular component of the court. This also means that the action or decision is actually needed to achieve the work of the court.

- Make the best use of the Court's scarce fiscal and human resources – This means that decisions are made in relation to the top priorities of the court as identified in its strategic plan and related documents.

In deciding what policies and procedures should be developed and implemented, the Court should apply the above criteria to help assure that the policies and procedures instituted represent the minimum level of effort required to achieve the desired outcomes.

Critical success factors for new program implementation include providing:

- The right leadership – The right leadership means identifying proven leaders who support the reform agenda of the court, who understand the contribution the HR programs make to the larger reform agenda, who are willing to make the difficult decision, who have the courage to be a role model and who are able to communication why those decisions are needed for the good of the court and the good of the nation. (See HR champion criteria for more details.)

- Simulation and testing of policies, procedures, forms and support systems, particularly IT support systems – When new policies, procedures and the like are not tested there are frequently unintended or unanticipated consequences. When these events occur they undermine employees' confidence in the changes. Thus many organizations undergoing major change will identify a few organizations within the larger organization to test or pilot the new program and its related procedures. While this approach takes longer, the overall results tend to be more successful.

- Provide sufficient resources – Transformation is expensive. Sufficient fiscal and well qualified human resources must be devoted to implementing the changes and integrating the new programs and procedures into the fabric and culture of the organization. Every resource invested up-front to assure proper implementation will pay significant dividends on the back end helping to ensure successful change.

- Develop and implement communication, training and roll-out strategies and plans - Communicating the change, training employees at every level on the change and investing time and thought in rolling out the changes help ensure successful change.

- Develop criteria and metrics against which success can be judged – Before change is implemented, the organization's leadership must define what is "success", how that success will be measured – qualitatively and quantitatively – and an estimate of how long the roll-out of the change will take.

- Develop a program evaluation methodology – For the first several years a new program should be evaluated every year to see if it is achieving the goals set to be accomplished. Most new programs require adjustment for the first several years as the organization becomes more skilled at refining the organizational needs and the regulations, policies and procedures needed to assure smooth functioning of the program.

- Decide whether implementation will be occur in stages or will apply throughout the court system on a date certain – Major change can be rolled out in stages across the court system or it can be rolled out to all units of the court simultaneously.

SECTION II. HUMAN RESOURCES PROGRAM AREAS

Section II of the Human Resources Program Implementation paper contains:

A program definition

An action plan which identifies each task to be done, provides a description of the task, identifies a specific individual who is responsible for the task, and a completion date for the task. The completion date can be stated in terms of a date certain, or if the start time is unknown when the initial plan is designed, the completion date can be stated in terms of a number of days, weeks or months from the initial task or from the prior task. Each task should indicate whether the task is sequential or consecutive.

Issues for decision or consideration.

Subsection A. Staffing Assessment Program

Program Definition- The staffing assessment program is the Court's system and methodology for assessing the work available for judges and for court staff. The results of the staffing assessment program and then used to determine the number of judge positions and court staff positions needed by the court. The staffing assessment methodology is adjusted to reflect the particular work and requirements of the various types of courts (general courts, military courts, religious courts, etc.). The staffing assessment methodology also contains a sub-methodology for determining the minimum resources required for a court to function, even if the caseload does not justify that level of resources. This is often referred to as the "open the door" costs. This process is most frequently applied to courts in rural or remote areas where national policies for access to justice require a court to be available to the population in that area.

Action Plan- the action plan has all tasks and descriptions provided as well as whether the tasks are sequential or consecutive. However, identifying the responsible party and the completion date will need to be completed at a later point in time when the court is ready to act.

Staffing Assessment Program Action Plan

Tasks	Description	Responsible Party	Sequential Or Consecutive	Completion Date
Establish the staffing assessment program	Prepare and issue the proper statutory or regulatory directive	Chief of Justice	S	TBD
Assign a proven leader to direct the new program	Assign a recognized and respected court leader to head and launch the program.; Outstanding leadership is a critical success factor for transformation efforts	Chief of Justice	C	
Assign needed people and financial resources to launch and maintain program	Provide sufficient funding; assure assigned staff are competent to produce the work required		S	
Place the program within a specific organization	Decide on the appropriate directorate within the court administrative structure		S	
Prepare the program description	Identify the responsibilities, authorities, accountabilities and reporting relationships of the program		S	
Develop and implement the regulatory and policy guidelines	Identify, develop, publish, implement the rules, regulations, policies and procedures needed to administer the program		C	
Develop and test all needed tools written/electronic guidance and forms, etc.	Testing will assure that the developed guidance, tools forms, etc operate as they were intended		C	
Identify audiences for communications,	Most organizations have 5-6		S	

training, roll out materials and activities and design accordingly	audiences – leaders, managers, supervisors, judge/court staff, civil society, citizens			
Develop and implement a communications strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and implement a training strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and implement a roll out strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and make available to users all needed tools written/electronic guidance and forms, etc.	This includes written/electronic guidance and forms, etc.		C	
Establish the evaluation program and metrics	The evaluation methodology and the qualitative and quantitative metrics by which program success will be judged		C	
Roll out the staffing assessment program	The program is operational		S	
Evaluate program annually	For the first 3-5 years conduct an annual evaluation. Makes needed adjustments.		S	Annually

Program Issues for Decision

Implementing the staffing assessment program presents the Court with four areas which require significant attention, leadership and perseverance. These are:

- Program Implementation
- Rebalancing the staff and the workload in various courts
- Conducting a case workload analysis so that the staffing assessment methodology can incorporate case weighting to the judge portion of staffing assessment.
- Establishing a statistical case data collection program to support both the staffing assessment methodology and as a quantitative performance indicator for judicial and court performance

Staffing Assessment Program Implementation

Issue One: Why is establishing an effective and efficient structure and process for managing the staffing assessment program a **critical success factor** for the human resources management program for the Indonesian court system?

Aligning the human resources required to accomplish the work of the organization with the amount and type of work to be done is an essential tool for helping to assure that the court is able to hire and transfer the right number of people with the right set of competencies at the time needed by the courts. The staffing assessment process provide a valid methodology and process for making these decision which is recognized and accepted by court systems and good government groups around the world.

Organizations which have too many employees or have employees whose competencies do not match the work to be done spend public funds unnecessarily. Organizations that have too few employees are unable to provide the quality and quantity of goods and services to citizens which these citizens have a right to expect.

Developing and implementing a valid staffing assessment methodology and process is not sufficient to achieve the goal of having the right match between work to be done and well qualified staff to do the work. The staffing assessment program must be well managed to assure that it continues to provide the courts a reliable methodology and process for matching work to be done with the staff needed to do the work.

Issue Two: Should requests be made one by one, or should the SC institute a policy which requires individual courts to review their recruitment and transfer needs on a quarterly, semi-annual or annual basis?

The most efficient and effective approach is to conduct an annual review of current and anticipated workload, compare the total workload needs to the number of current staff and determine:

- Is more staff needed?

  If Yes:

  - What number of staff, in what occupation(s), at which grad levels, what kind of competency needed, should it hires from outside or can be fulfilled from inside?
  - Is the need full-time or part-time?
  - Is the need permanent or temporary?
  - When is the staff needed?
  - How long will the recruitment process take?

  If No: No further action is needed.

If this is not possible, than quarter and semi-annual reviews then to be more effective and efficient than making requests on a case by case basis.

Issue Three: What information is needed to provide the decision maker with the information and data to make an informed judgment?

The request for decision can be either in memorandum form, or can actually be a completed form which provides the following information.

- What action is requested?

  The court wants to recruitment to fill a position or to transfer an employee into or out of the organization.

- Why is it being requested?

  Here the court needs to address the type of position and the level of position and the results of the staffing assessment that supports the need to take the recruitment or transfer action.

- When does it need to take place?

- The requesting court must certify that the funds are available to pay the salary and allowances for an entire fiscal year.

There may be other information that is required based on the civil service rules and regulations of the GOI.

Issue Four: How will the decision to approve or disapprove the request be conveyed?

The decision should be convey in writing, signed by the authority designed to make such decisions. A copy of the decision should be kept by the deciding office and by the court which has made the request. These records should be kept according to the schedule of records for maintaining public documents.

Issue Five: What timeframes will be established?

For policies and procedures to be both effective and efficient, timeframes for:

- Receiving requests
- Analyzing requests
- Making decisions on requests

The leadership of the court should decide what timeframes are most appropriate. The timeframe decisions will be affected by whether the Court leadership decides if it will institute a one-by-one or a periodic (quarterly, semi-annually, annually) submission and decision policy.

Issue Six: Who will make these decisions?

The Court leadership must decide who will be delegated the authority to make the recruitment and transfer decisions. The current process for recruitment is to form a committee. (The committee includes the TUADA for institution development, secretary, the personnel bureau head, etc). A similar process is used for transfer approvals. The Court also has committees. For non-judges they have BAPERJAKAT, which is led by the head of general administration- Bapak Subagyo. For judges they have PRE-TPM and TPM. The PRE-TPM is led by the deputy Chief of Justice for non-judicial matters. The result from PRE-TPM is then reviewed and finalized in TPM, which is lead by the Chief of Justice. The lead will need to decide if this process is sufficient and appropriate or if another review process is needed.

Because establishing the staffing assessment program, and the decisions which flow from that program, are so critical to the success of reform, we suggest that for at least the first year, the court leadership should review these decisions. This will assure that:

- The standards for decision making are being appropriately applied.
- Send a signal to all within the Court system and to outside observers that the Court leadership is very serious about implementing this new policy effectively, efficiently and fairly.
- Provide the organization and individuals who are charged with making these decisions the clear and visible support of the Court leadership.

For a period of several years, the SC leadership may also want to engage an independent body to perform an annual review of either all decisions made, or of a significant sample of the decisions made. The purpose of the audit is to:

- Assure that the policies and procedures are being followed correctly both in the courts and in the program management office;
- Identify any policies or procedures that need to be revised or refined;
- Identify program or knowledge areas where either court staff or the program management staff will need additional training and development.
- Provide transparency to the staffing assessment as well as the recruitment and transfer requests processes.

Issue Seven: What competencies must the staff be given the responsibility for making the recruitment and transfer approval decisions have?

The staff must be competent in:

- The staffing assessment methodology and process
- The recruitment and transfer policy and process
- How these programs and processes fit with other parts of the human resources programs of the court system
- How these programs and processes support the reform goals of the court system

- The records keeping requirements
- Be able to articulate orally and in writing the basis for the decisions made
- Be willing to make difficult decisions and to stand by those decisions
- Have the confidence of the Court leadership.

Issue Eight: What performance standards will be established for those who submit recruitment and transfer requests and for those who make decisions about these requests?

At a minimum, the performance standards for those who submit requests should include:

- Correct documentation based on the staffing assessment that the recruitment or transfer is needed based on workload to be accomplished.
- Requests are completed according to the published guidelines for content and for timeframes.
- Establishing and maintaining the audit trail on the request and the decision on the request.

At a minimum, the performance standards for those who decide on these requests should include:

- Correct documentation of the decision made.
- Conveying the decision in the agreed upon format within the established timeframes.
- Establishing and maintaining the audit trail on each decision.

Issue Nine: What type of evaluation process will be established to assure that the program is functioning properly?

The SC should establish a periodic evaluation program that reviews all aspects of the request and decision process for recruitment and transfer requests. The results of the evaluation should be made available to all involved in the process of requesting and deciding on recruitment and transfer requests. The results should be used to improve the policies and procedures associated with the program.

Issue Ten: What resources are needed to develop, implement and maintain this new program?

The SC leadership must decide what human and fiscal resources are needed to establish this new program. In making these decisions, the SC leadership needs to consider the following:

- How many positions are required?

- What type and level of employees are needed to carry out the work of the office?
- What competencies are required?
- What type of training is needed to assure that both those making requests and those deciding requests have sufficient knowledge of what must be done to carry out their duties and responsibilities successfully?

Issue Eleven: What is the timeframe for developing and implementing the decisions identified above?

The SC leadership should:

- Prepare a detailed strategy and plan for making all needed decisions and for implementing those decisions.
- Prepare a communications strategy and plan for informing the court and interested stakeholders of these new policies and procedures.
- Assign an individual responsibility and authority to carry out the decisions that they make.

Rebalancing staffing levels to reflect the workloads of the courts

Implementing the staffing assessment program presents the Indonesian Court with a special set of challenges which must be handled with sensitivity and great care. The initial results from applying the staffing assessment methodology strongly suggests that many courts have significantly more staff than the workload justifies, or could justify even with significant workload growth over the next five years. The question then becomes how to handle this issue in a way that honors the goals of court reform, keeps faith with the court's commitment to the government and to citizens of Indonesia to reform, and be respectful of the employees – both judges and staff – of the court.

Over the last two decades governments around the world have needed to reduce their staffing levels. The Indonesian Court system can benefit from the many valuable lessons learned through the experiences of others. Most of these institutions had no history of "down sizing" and thus no experience in how to maximize the benefits and minimize the human and other costs of wrenching changes. The lessons they learned are described below.

The first and most fundamental principles are:

- The courts must seek to retain those judges and court staff whose competencies are needed to perform the work of the organization.
- Those judges and employees whose talents are no longer needed must be treated with the respect and dignity that their service to the courts and to the country requires; that support is provided to assist these individuals in understanding the options available to them whether they seek employment

elsewhere in government or the private sector, or, if eligible, they choose to retire, and that they are provided an appropriate amount of time to make those decisions

- The court must meet its goal to significantly improve the quality of its candidate judge recruitment program because these hires are the future of the entire Indonesian Court system.

The most important lessons learned from the experiences of other countries are:

Lesson 1: How the leadership communicates the initial decision and its impact, and how they continue to communicate with judges and staff throughout the staffing adjustment period, will often determine the ultimate success or failure of the organizational change.

The leadership of the Supreme Court, and all the other key government stakeholders – the President, the KPK, the national bureaucratic reform team, the other four Government institutions (the national audit body, MoF, AGO, Police) undergoing reform, the leadership of the Parliament – should agree on how and when to communicate the staffing assessment results and the impact of the implementation. The messages need to convey both the commitment to reform and to best use of taxpayer rupiah (if that is an important part of the reform effort) as well as an awareness of the human impact that these changes will have both on those who must leave and those who must stay. To the extent possible, there should be enough detail to make clear the extent of the changes but not so much that the decision gets "nitpicked" to death.
The court leadership should be fully informed and prepared to discuss these issues with both judges and court staff immediately. If there is any significant time (which is often measured in hours in these situations) between the announcement of the decision and discussion with those affected by the decision about the decision, the chances of successful implementation are reduced accordingly.

Lesson 2: Well qualified individuals always have employment alternatives.

The very best employees always have other employment alternatives. Thus, the way any organization reshaping is communicated and the way all employees – those who go and those who stay - are treated will have a significant impact on whether the very best employees stay or whether they leave. What research shows is that employees view a significant staff reduction as a breaking of either a spoken or an unspoken (varies by country) agreement of lifetime employment. Once that agreement is broken, regardless of the reason for the decision, the level of trust which did exist is negatively impacted. The question a greater or lesser degree in every employee's mind is: "Will I be next?"

Staff reductions can also impact the organization's ability to be successful in future recruitment efforts.

Lesson 3: Organization reshaping takes significant time, and effort.

Even if the GOI has a methodology for deciding who goes and who stays, successful organization reshaping requires very detailed planning. Just as the communication of the decision discussion in Lesson 1, planning for and orchestrating the myriad issues and details of who goes and who stays is a complex task. There must first be an analysis of what the organization needs in the way of competencies, if and where those competencies are within the organization, who will actually be affected, are these individuals eligible for retire or some sort of severance payment, what assistance will be given for those who will need to find other employment and similar decisions. The most successful organizations make their plans and then run simulation tests to assure themselves that the impact they thought would occur is the impact that actually occurs. Most find that they have to make adjustments for the unintended consequences that emerge from the simulation tests. What the research shows is that every minute that is put into planning upfront pays off handsomely in the executive and implementation phases of reshaping.

Lesson 4: Organization reshaping is expensive.

Organization reshaping costs in both indirect and direct expenditures. There is the time of the leadership and the staff in planning and executing the change and there is the time of employees. In most organizations little work gets done for a period of time before and after the announcement is made as individuals absorb the impact of the decision and figure out of it means for them and for their family, friends and colleagues. While most research shows that in normal working conditions employees are productive about 75% of the work day (e.g., 6 hours out of an 8 hour workday), in situations of great stress and change, the level of productivity can be as low as 25 to 30 percent.

In addition, most governments provide some sort of benefits as retirement, early retirement, severance pay, unemployment benefits or similar support to those who must leave. If the organization decides to provide counseling and support for those who must find other jobs that also can be a direct cost. Thus while the long term benefit for reshaping is substantial, in the short term is it usually a very expensive proposition.

Lesson 5: While it is important to provide proper attention and care to those who are losing their jobs, it is equally important to provide support to those who will remind in the organization.

Those who remain with the organization are often as distressed as those who are losing their jobs. Depending on the culture some number of staff will feel guilty that they still have their job while friends and colleagues have lost theirs. The organization must recognize this as a possibility and take steps, such as providing counseling or other appropriate support, so that those who remain with the organization can continue to be productive employees. While these issues have to be handled in a culturally appropriate way, they must be addressed directly. Otherwise, the “wounds will fester” and the organization will not realize the full benefit of the very difficult decisions that it has made. The sensitivity and assistance to those who remain may continue for a year or more.

Research shows that the problem can be mitigated if those colleagues who must leave are able to find comparable (or even better) positions immediately and if the organization treats those who must leave with respect and dignity. To the extent that those who remain employed can participate in assisting those who must leave in finding new employment or otherwise help mitigate their difficulties, these activities help those who remain to accept the difficult decisions that were made.

Lesson 7: The benefits of organization reshaping are long term.

The benefits of organization reshaping are seldom evident immediately, except to extent that they make a clear statement to the citizens of Indonesia that the Supreme Court is very serious about its commitment to reform. This is obviously a major benefit. For the organization itself, however, it will be several years before the positive effectives of reshaping manifest themselves. The reason for mentioning this is not to discourage the change but to understand the timeframe within which these events occur and plan according. Because the benefits are long term, to the extent possible the organization needs to set interim goals and to celebrate achieving those goals. This will help keep the energy and the commitment needed to achieve these very difficult outcomes.

Lesson 8: Workforce Planning

The goal of every successful public organization is to employ the minimum number of individuals who can achieve the maximum amount of work for each rupiah spent on salary, allowances and other employee costs. In order to achieve this goal, public organizations must identify the competencies required to perform the organization's work successfully and identify the number and types of individuals required to do that work.

Workforce planning is the strategic alignment of an organization's human capital with its business direction. It is a methodical process of analyzing the current workforce, determining future workforce needs, identifying the gap between the present and future, and implementing solutions so the organization can accomplish its mission, goals, and objectives.

Most workforce plans cover a five year period and are updated every 2-3 threes as the organization's work and work requirement evolve. The questions which must be asked and answered when developing a workforce plan include:

- What is the type and volume of work to be accomplished?
- What are the competencies needed to accomplish that work?
- What is the number of employees needed to accomplish the work? (Staffing Assessment input)
- Which employees have the competencies that are needed to accomplish the work?
- Which employees do not have the competences needed to accomplish the work?
- What is the gap between what the organization needs vs. what competencies its current employees have?

The gap that exists between the "have" and the "need", tells the organization where it must focus its efforts in assuring that there is the proper match between what is needed and the competencies available in the workforce.

- What is the attrition or turnover rate by occupation?

  The answer to this question lets the organization know whether attrition will help alleviate the number of employees who must be reassigned, retired or terminated.

Lesson 9: Deciding Who Stays and Who Goes

If the GOI has a set of rules and regulations that govern staff reductions, those must be applied. If not, legal and regulatory authority and a set of processes must be established. Who goes and who stays can be decided in a number of different ways.

- Option 1: By seniority is appealing because the organization simply says those who have worked here the longest have the greatest right to remain. The difficulty with using seniority is that it does not address the issue of either competency or performance.

- Option 2: By competency is appealing because it means that the organization will have the capabilities needed to accomplish the work. The difficulty with this option is that it requires an analysis of competencies both for the work to be done and of the individuals who are currently employed. If such an analysis is not already completed, significant time and money could be expended to get this information.

- Option 3: By some other method that is acceptable under the laws, policies and customs and values of the Supreme Court and GOI.

Whatever method is chosen it should be as simple as possible, repeatable, and transparent. Once the method is chosen it should be shared with all and explained to all.

Lesson 10: Consultation

Those in charge of the reshaping must share the decisions that are being made with the Court leadership, as well as the managers and supervisors, so that all are informed about what is being done and can share that information, as appropriate, with employees. This can help keep rumors at a minimum. Those in positions of authority should also be consulted about which options they think will work best, etc. etc.

Consultation must also occur with employees – in groups and individually. If and when there are options available to employees who must leave the organization, those options can be explained generally in groups and then more specifically in individual discussions

The court should carefully consider these lessons as it is making its decisions about how to handle the results of conducting the staffing assessment methodology within the courts.

Doing nothing is not an option.

Conduct a Case Workload Analysis for Judges

The initial staffing assessment analysis identified a case workload analysis for judges as a needed next step in further refining the judge workload portion of the formulas. Many court systems around the world conduct these studies periodically to assure that there is the right proportional relationship between the number of cases and the number of judges needed to decide those cases.

There are two primary ways of conducting these analyses.

- The first methodology asks judges to keep a detailed diary of all of these activities, with particular attention to their work on judicial caseload. Staffing assessment experts prepare a detailed methodology and train judges in how to keep the diary records. Most courts consider two years worth of diary records the minimum level of data that is acceptable to produce statistically acceptable results. The diary records are then collected and analyzed by highly trained professionals. The results of their analyses are then shared with the judges for further discussion and refinement. Generally acceptable methods of statistical analysis are used to come to final conclusions about the weighting of cases. These weighting are then integrated into the judge portion of the staffing assessment methodology.

- The second methodology uses a similar rigor, but the observations and detailed recordings of judge casework is done by training analytical professionals. The results are then analyzed and refined through discussions with judges. This method also needs a minimum of two years of data collection to be considered valid.

The Court needs to address this issue at the earliest possible opportunity because of the time required to conduct judge case weight studies and reach valid conclusions.

A point of departure to get a feel for these issues may well be a thorough review of prior studies relating to court workload, some of which focused particularly on judge workload.

Statistical Case Reporting- Options for Tracking and Reporting Case Types and Volume

A key component to a robust staffing assessment program is the tracking and reporting of numbers and types of cases. Tracking cases allows the court to:

- Know how many of what types of cases are being filed.
- Track how long it takes for the various cases to be resolved and closed.
- Track those cases which are terminated prior to closure and the reasons for the termination.
- Prepare and publish reports on numbers and types of cases by court, by judges or other criteria the court may conclude is needed and appropriate.

- Such published reports contribute significantly to the transparency of judicial proceedings.
- Provide a basis for conducting periodic staffing assessment analyses.
- Track trends in types of cases over time which can inform efforts to develop more effective and efficient work processes.
- Track trends in types of cases over time which can inform efforts to review the adequacy of laws in resolving legal issues.

Fundamental principles which should guide whatever type of reporting system is instituted include:

- The system should be simple, capturing the minimum amount of data that will provide the maximum amount of information.
- Data should be collected at its source. For example, to know how many cases and what type of cases are filed, this data should be collected and reported when the case is filed. Data collection can be recorded either in a paper record or in an electronic record. While electronic is preferable for both ease of collection and ease of transmission, this may be a goal that is first realized through paper records.
- If the court does not already have a case classification system, one will need to be established. Most courts classify cases by

Once the Court has addressed the three issues identified above, it can then develop a strategy and plan for conducing any needed analysis. The results of the analysis will for the basis for developing an implementation strategy and plan.

Subsection B. Job Description Program

Program Definition – The purpose of the job description program is to identify the work (tasks) to be done, organize those tasks in to individual jobs with the associated duties, authorizes, responsibilities, accountabilities, qualification requirements and performance requirements. Individual jobs are then organized into career ladders and career paths.

Managing the job description program effectively and efficiently is a critical success factor for the entire human resources program of the Indonesian court system. The job description program provides the foundation for all other human resources programs such as recruitment, transfer, promotion, performance management training and professional development, and remuneration because it organizes the work into jobs and career paths.

Program Action Plan: The action plan has all tasks and descriptions provided as well as whether the tasks are sequential or consecutive. However, identifying the responsible party and the completion date will need to be completed at a later point in time when the court is ready to act.

Job Description Action Plan

Tasks	Description	Responsible	Sequential	Completion

		Party	Or Consecutive	Date
Establish the job description program	Prepare and issue the proper statutory or regulatory directive	Chief of Justice	S	TBD
Assign a proven leader to direct the new program	Assign a recognized and respected court leader to head and launch the program.; Outstanding leadership is a critical success factor for transformation efforts	Chief of Justice	C	
Assign needed people and financial resources to launch program	provide sufficient funding; assure assigned staff are competent to produce the work required		S	
Place the program within a specific organization	Decide on the appropriate directorate within the court administrative structure		S	
Prepare the program description	Identify the responsibilities, authorities, accountabilities and reporting relationships of the job description program		S	
Develop and implement the regulatory and policy guidelines	Identify, develop, publish, implement the rules, regulations, policies and procedures needed to administer the job description program		C	
Develop and test all needed tools written/electronic guidance and forms, etc.	Testing will assure that the developed guidance, tools forms, etc operate as they were intended		C	
Identify audiences for communications, training, roll out materials and	Most organizations have 5-6 audiences – leaders,		S	

activities and design accordingly	managers, supervisors, judge/court staff, civil society, citizens			
Develop and implement a communications strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and implement a training strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and implement a roll out strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and make available to users all needed tools written/electronic guidance and forms, etc.	This includes written/electronic guidance and forms, etc.		C	
Establish the evaluation program and metrics	The evaluation methodology and the qualitative and quantitative metrics by which program success will be judged		C	
Roll out the job description program	The program is operational		S	
Evaluate program annually	For the first 3-5 years conduct an annual evaluation. Makes needed adjustments.		S	Annually

Program Issues for Decision: Implementing the staffing assessment program presents the Court with three areas which require significant attention, leadership and perseverance. These are:

- Program implementation
- Refining the qualification requirements for various positions;
- Refining the performance requirements for various positions.

Issue One: Why is establishing an effective and efficient structure and process for managing the job description program effectively and efficiently a critical success factor for a successful human resources management program for the Indonesian court system?

Organizations exist as structures within which work is accomplished. Job descriptions are the documents which record:

- The tasks to be performed
- How those tasks are organized into jobs.
- Defines the experience and education qualifications required for the job.
- Defines the performance requirements for occupants of the job.
- Provides the basis for establishing career ladders for employee transfer, promotion and advancement.
- Identifies the responsibilities and authorities of individuals assigned to a particular job.
- Provides a title, a grade level indicating the relative ranking of the job.
- Defines the link between the job and the appropriate level of remuneration and allowances.
- Is the foundation document for conducting staffing assessments?
- Is the basic building block for designing an efficient and effective organization?

Thus the job description is a major document for an organization's leadership to use in managing both the work and the employees of an organization. Equally important, the job description is the source of essential information for employees who occupy the position because it conveys duties, responsibilities, authorities, accountabilities, qualification requirements and performance expectations.

Establishing and managing the job description program provides the court the foundation for establishing and managing a successful human resources program.

Issue Two: How should requests be made to describe a job position or request revision of an existing job description?

The court which needs a new job description or revision to an existing job description should prepare a written request which describes why a new or revised job description is required.

The request should be submitted for resolution to the office which has authority to address these issues.

Issue Three: What information is needed to provide the decision maker with the information and data to make an informed judgment?

The request for decision can be either in memorandum form, or can actually be a completed form which provides the following information.

- What action is requested?

The court needs a new job description or a revision to a current job description. These requests should be relatively rare during the first few years of the job description program unless there is wholly new work in the court, or the processes for accomplishing the work change. For example, if case management process was manual and is now automated, this change will most likely require a new position description, as well as new qualification requirements, and new performance standards.

- Why is it being requested?

  Describe the changes which require a new or revised job description.

- When is the new or revised job description needed by the requestor?

  There may be other information that is required based on the civil service rules and regulations of the GOI.

Issue Four: How will the decision to approve or disapprove the request be conveyed?

The decision should be convey in writing, signed by the authority designed to make such decisions. A copy of the decision should be kept by the deciding office and by the court which has made the request. These records should be kept according to the schedule of records for maintaining public documents.

Issue Five: What timeframes will be established?

For policies and procedures to be both effective and efficient, timeframes for:

- Receiving requests
- Making decisions on requests.

The leadership of the court should decide what timeframes are most appropriate.

Issue Six: Who will make these decisions?

The Court leadership must decide who will be delegated the authority to make job classification decisions. The leadership must also decide if those decisions will be reviewed by a higher level authority.

Because establishing the job description program, and the decisions which flow from that program, are so critical to the success of reform, we suggest that for at least the first year, the court leadership should review these decisions. This will assure that:

- The standards for decision making are being appropriately applied.
- Send a signal to all within the Court system and to outside observers that the Court leadership is very serious about implementing this new policy effectively, efficiently and fairly.

- Provide the organization and individuals who are charged with making these decisions the clear and visible support of the Court leadership.

For a period of several years, the SC leadership may also want to engage an independent body to perform an annual review of either all decisions made or of a significant sample of the decisions made. The purpose of the audit is to:

- Assure that the policies and procedures are being followed correctly both in the courts and in the program management office;
- Identify any policies or procedures that need to be revised or refined;
- Identify program or knowledge areas where either court staff or the program management staff will need additional training and development.
- Provide transparency for the job description program, policies and processes.

The results of the audit should be made available to judges and court employees and to the public, possibly as a part of the Chief of Justice's annual report to the citizens of Indonesia.

Issue Seven: What competencies must the staff given the responsibility for making the recruitment and transfer approval decisions have?
The staff must be competent in:

- The approved methodology for preparing and evaluating position descriptions;
- The theory and practices of designing career ladders and progression within occupations;
- How these programs and processes fit with other parts of the human resources programs of the court system;
- How these programs and processes support the reform goals of the court system;
- The records keeping requirements;
- Be able to articulate orally and in writing the basis for the decisions made;
- Be willing to make difficult decisions and to stand by those decisions:
- Be willing to convey those decisions to the requesting organization.
- Have the confidence of the Court leadership.

Issue Eight: What performance standards will be established for those who submit job description requests and for those who make decisions on these requests?

At a minimum, the performance standards for those who submit requests should include:

- Correct documentation based on the work the position is to accomplish.

- Requests are completed according to the published guidelines for content and for timeframes.

- Establishing and maintaining the audit trail on the request and the decision on the request.

At a minimum, the performance standards for those who decide on these requests should include:

- Correct documentation of the decision made;

- Conveying the decision in the agreed upon format within the established timeframes;

- Establishing and maintaining the audit trail on each decision.

Issue Nine: What type of evaluation process will be established to assure that the program is functioning properly?

The SC should establish a periodic evaluation program that reviews all aspects of the program. The results of the evaluation should be made available to all involved in the process of requesting and deciding on position descriptions. The results should be used to improve the policies and procedures associated with the program.

The court should establish qualitative and quantitative metrics by which success is judged. These metrics should be address in each evaluation cycle.

Issue Ten: What resources are needed to develop, implement and maintain this new program?

The SC leadership must decide what human and fiscal resources are needed to establish this new program. In making these decisions, the SC leadership needs to consider the following:

- How many positions are required?

- What type and level of employees are needed to carry out the work of the office?

- What type of training is needed to assure that both those making requests and those deciding requests have sufficient knowledge of what must be done to carry out their duties and responsibilities successfully?

Issue Eleven: What is the timeframe for developing and implementing the decisions identified above?

The SC leadership should:

- Prepare a detailed strategy and plan for making all needed decisions and for implementing those decisions.

- Prepare a communications strategy and plan for informing the court and interested stakeholders of these new policies and procedures.

- Prepare a roll-out strategy and plan.

- Assign an individual responsibility and authority for carrying out the decisions that they make.

- Refine Qualification Requirements for Positions

The qualification requirements that are currently incorporated into the job descriptions reflect whatever are the current government wide standards, as well as the knowledge and experience of those interviewed as part of the job description task under the MCC ICCP contract. They represent a good first step. However the requirements need to be refined and standardized to fully reflect the requirements of the Courts and the evolution of the work requirements of the particular job or the jobs within a particular occupation. Requirements for a particular occupation should reflect both the entry level requirements for entry level jobs, as well as the differing qualification requirements for higher level jobs within a particular occupation or job family.

- Refine Performance Requirements for Positions.

The performance requirements that are currently incorporated into the job descriptions reflect whatever are the current government wide standards, as well as the knowledge and experience of those interviewed as part of the job description task under the MCC ICCP contract. They represent a good first step. However the requirements need to be refined and standardized to fully reflect the requirements of the Courts

In addition for judge positions, careful attention needs to be paid to the three components of judge work – judiciary work and decisions, judicial leadership work and decisions, and for a certain level of judge and justice, the advice given to the government.

There is always an appropriate tension between judicial independence which is the hallmark of an independent and effective judiciary within a democratic government and the accountability to citizens of the country for performance that is legally sufficient and effective.

These issues need very specialized focus and attention.

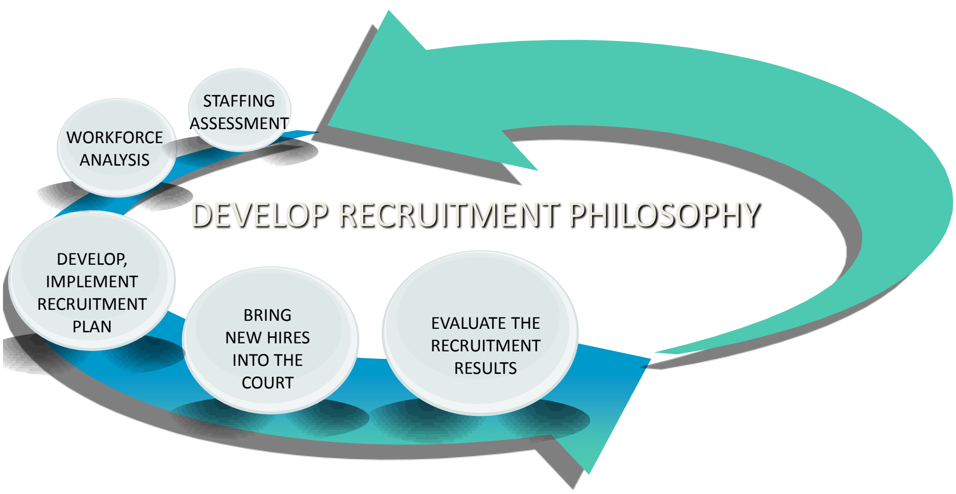
Subsection C. Recruitment and Career Path Program

Program Definition – The recruitment and career path program is the Court's system and methodology for recruiting and retaining a well qualified staff. Currently the career path component of the program is not well developed making it difficult for employees to move between and among various related occupations within the court. The study currently underway, as part of the ICCP Extension Project, is mapping the current system. When that mapping is completed, a set of recommendations will be developed.

The generic components of a well designed recruitment program are identified in the graphic below. The most successful organizations begin their recruitment program by developing a recruitment philosophy which guides the longer term development and execution of the recruitment program. Staffing assessment provides the foundation of information to help decide the number and type of positions needed in an organization. The workforce analysis provides a more detailed assessment of the capabilities needed currently and in the predictable future to accomplish the work of the organization. Workforce analysis also provides a comparison of the capabilities of the current workforce vs. what will be needed, provides an analysis of alternatives for meeting those needs including recruitment, reassignment, training and education or other alternatives. The results of the workforce analysis are major input components for developing the recruitment strategy and plan.

New hires are brought on board and begin their orientation, education and training. Bringing new hires into the court includes: orientation and training, assigning a mentor, assuring that there is interesting and challenging work to be done; assuring that supervisory judges provide coaching, performance assessment and advice.

RECRUITMENT SUBSYSTEM: SUCCESSFUL PRACTICES



The discussion which follows is excerpted from a paper on recruitment, selection and career path development successful practices which was prepared for the MCC ICCP project in April 2009.

Successful Practices

The successful practices discussed below represent an amalgamation of practices used by public and private sector organizations in Asia, Australia and New Zealand, Western and Eastern Europe and North and South America. Each country within the various continents makes adjustments in the particulars to reflect the governance system and the customs and culture of the specific country.

Philosophy - What is the philosophy that underpins the development and implementation of the recruitment, selection and career development programs for the Indonesian Court System?

The philosophy statement reflects the fundamental beliefs of the organization about the purpose of the recruitment, selection and career development programs.

An example of a recruitment and selection philosophy is:

> **Our Recruitment Philosophy** -We are committed to identifying, recruiting and retaining the best talent to meet our organization needs. Our recruitment and selection is governed by these guiding principles:
>
> **Fairness** – We use the same process for all candidates for a particular position;
> **Transparency** – The process for the recruitment is documented and information provided to all individuals involved;
> **Diversity** – We welcome candidates with diverse backgrounds and use a variety sources to attract talented people.
> http://www.infrastructureontario.ca/en/career/philosophy.asp

An example of a career development philosophy from a world-renowned university states:

> The University of California, Berkeley encourages employees to develop in ways that link to the strategic objectives of the campus. Career management is a partnership between the employee, the supervisor, and the University.
>
> - Employees are responsible for actively managing their careers, increasing their skills and experience, and maintaining a high level of performance.
> - Supervisors are responsible for actively encouraging and supporting staff in their career planning, using the available tools and processes to help employees find the best match between their talents and the needs of the campus.
> - The University is responsible for creating and providing opportunities for growth based on performance excellence, talent, and potential, and for encouraging mobility between job families and departments.
>
> http://careercompass.berkeley.edu/careerdevl/philosophy.html

It is worth noting that both of these examples specifically link their philosophy in recruitment, selection and career development to their strategic objectives or business needs. The career development philosophy statement speaks to the mutual responsibility of the institution for providing career development opportunities and the individual employee for taking advantage of the opportunities provided. This emphasis on shared responsibility is a growing trend in public service institutions around the world.

Recruitment

- What are the numbers and types of positions that are required to perform the work of the courts? Which ones are anticipated to be filled during the fiscal year? Which ones are mission critical? What ones are not but still must be filled?

- What technical and program competencies (skills, knowledges, abilities, behaviors) are required for each type of position? Do these competencies change based on the level of the position? Which competencies must be present when an individual is selected for a position? Which competencies can be acquired as the individual is working in the position?

- What supervisory, managerial, executive and leadership competencies are required? For what positions? Do these competencies change based on the level of the position? Which competencies must be present when an individual is selected for a position? Which competencies can be acquired as the individual is working in the position?

- Are these competencies available in the current staff? If yes, how does the organization know who possesses what competencies? Do these competencies change based on the level of the position? Which competencies must be present when an individual is selected for a position? Which competencies can be acquired as the individual is working in the position?

- If these competencies are not available in the current staff, how will they be acquired – recruitment of external candidates? Reassignment of candidates who are currently employed in other government ministries? Training of current employees? Education of current employees? Other options?

- The human resources program which will answer all of the above questions is called the Workforce Analysis and Planning Program. This program identifies the competencies needed to perform the work, the number and levels of positions that are required, provides an analysis of the competencies present in the workforce, the gap between the competencies needed, and the strategies appropriate to fill the gaps identified. Workforce analysis and planning includes planning for the general workforce, succession planning for critical occupation categories, succession planning for all levels of leadership positions, planning for the acquisition of individuals through contracts, grants, volunteers and other alternatives sources.

Workforce analysis and planning programs are usually supported with technology that allows the organization to ask and answer "what-if" questions about various configurations of the workforce, and to use scenario planning to examine the impact of alternative solutions to workforce planning issues.

Richard W. Judy, Director of the Center for the 21st Century Workforce, Discovery Institute in Seattle Washington gave a presentation at Emirates Center for Strategic

Studies and Research in 2002 entitled "Workforce Planning in Knowledge-Based Economy" which addresses both workforce planning and workforce development. This analysis examines the workforce planning experiences of the former Soviet Union, Japan, Singapore and the United States among others. As Mr. Judy states in his paper:

The history of successful economic development for the past two centuries is a chronicle of the harnessing of science and technology to achieve greater levels of productivity.

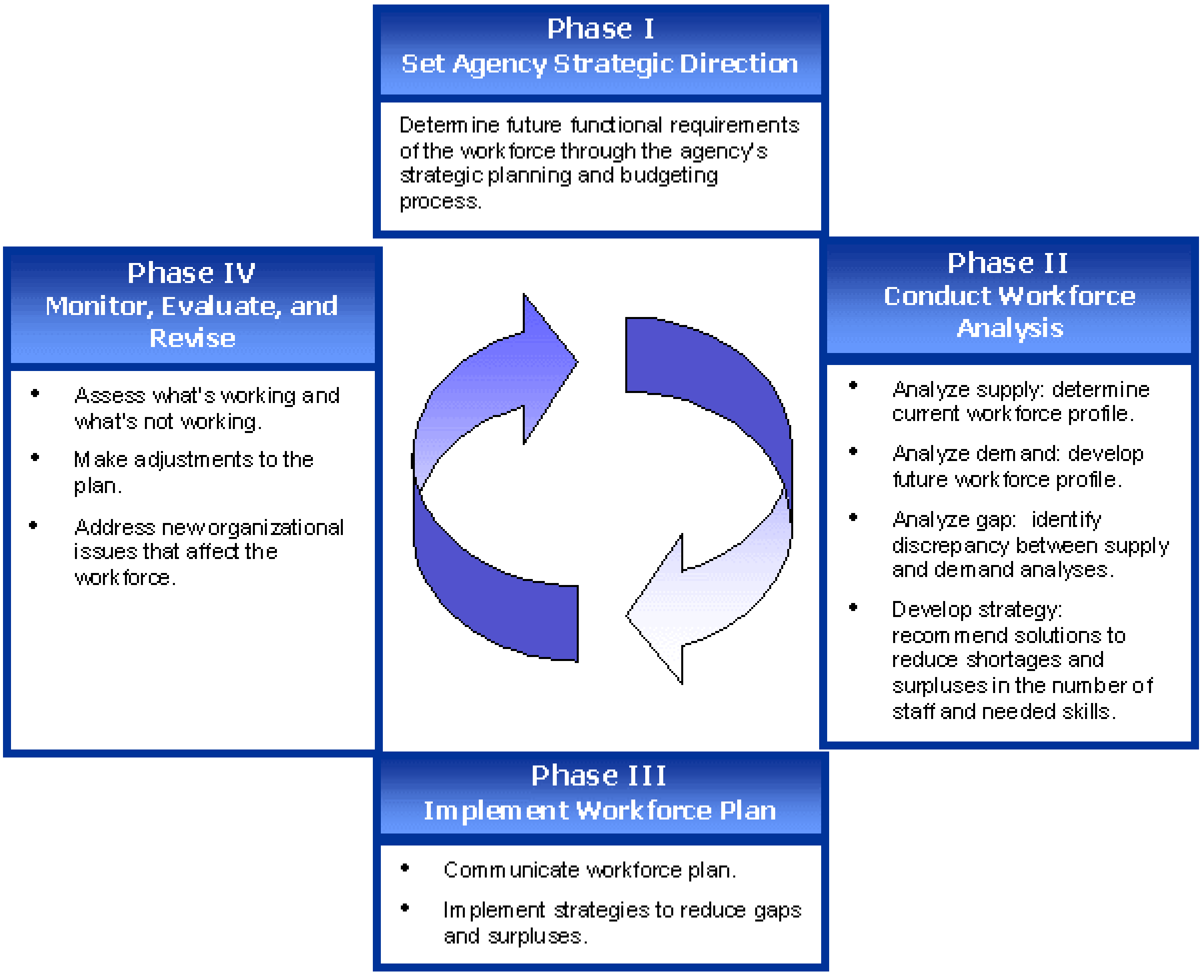
In other words, it is the history of how economies have become increasingly knowledge-based. That historical process is now culminating in a "knowledge-based economy" in which intellectual property and human capital are the key determinants of competitive advantage.

The workforce implications of this phenomenon are profound. The incumbent workforces of few, if any, nations of the world are equipped with the knowledge and skills required by tomorrow's jobs. Because of their greater investment in human capital, some nations are much better positioned than others. Such investment is what we mean by "workforce development."

For individuals and nations to prosper in a "knowledge-based economy," workforce planning and development must rise to new levels. By assessing the economy's workforce needs and competencies, workforce planners must identify the gaps between what the workforce is and what it needs to become. Workforce development concerns three kinds of interventions: (i) Augmentation of workforce quantity; (ii) improvement of workforce quality; and (ii) improving the matching of job seekers with employment opportunities.

Thus he makes a powerful argument for workforce planning and development as critical success factors in assuring a workforce that can contribute to economic growth and development. The entire paper can be found at: http://www.workforceassociates.com/products/AbuDhabi.pdf .

The graphic below depicts a typical workforce planning model.



More in depth discussion of examples of workforce analysis and planning models can be found at: http://sao.hr.state.tx.us/Workforce/guide.html or http://portal.cornerstones4kids.org/.

How will the positions be announced and advertised – internally? Externally?

The selection process for a merit based public service should be:

- Effective in attracting and identifying a reasonable number of well qualified candidates – This requires developing a recruitment strategy and plan tailored to the positions to be filled. For example, the staffing specialist should know the typical sources (e.g., colleges, universities, private sector firms, professional associations) where well qualified candidates for the position to be filled. He/she should also, whenever possible have contacts within these organizations, particularly colleges, universities, professional associations, with whom the job advertisement can be share and who will be willing to share the advertisement with potential candidates.

  More detailed resources can be found at: http://www.impactwriting.com.au/Articlespublicservicesectorselectioncriteria.html.

The Government of Australia's Public Service Commission, which regulates public employment (http://www.apsc.gov.au/apscrecruitment/index.html), provides an excellent website which can serve as a model for both selection procedures as well as an example of the use of technology to provide both the functions and activities of the human resources professional as well as the applicant for positions.

Other governments considered to have effective programs, processes and websites are:

- The Government of Singapore - https://app.vog.gov.sg/Presentation/index.aspx;
- The Government of Korea - http://www.csc.go.kr/eng/csR/csr02-02_01.asp.

Effective recruitment also involves providing the broadest possible distribution of the vacancy announcements. The most cost effective way is through web-based recruitment sites if the country has such sites available. The web based distribution can be supplemented by posting vacancy announcements in the government offices and mailing printed copies of the announcement to previously identified organizations which have agreed to post the announcements. If websites are not available, then the organization will need to rely on the distribution of printed vacancy announcements.

- Efficient in the advertising, candidate assessment, selection, letter of offer and on-boarding processes – Techniques which can enhance efficiency include:
  - Develop and maintain a library of standardized advertisements for positions and then tailor those to the particulars of the specific position when it is time to advertise a vacancy.
  - If there are multiple vacancies, use a single advertisement and indicate that multiple positions will be filled.
  - Develop and maintain a library of standardized assessment tools and plans for various types of positions. These can then be immediately available to use in assessing the credentials of applicants.
  - Develop and maintain a library of standardized letters of offer which can then be tailored to the specifics of a particular letter of offer. The letter of offer should include the position title, level, organization location and salary, a listing of benefits, the specific conditions of employment (full time, part time, permanent, temporary, the days of the work week, the work hours) and similar information.
  - Develop and maintain a standardized on-boarding program and process which can be used throughout the court system. This standardized process should also have the option of being tailored to the needs of the individual court in which the new employee will work.
- Transparent to the organization with the position(s) to be filled, the supervisor making the selection and the potential candidates for the position(s) –

Transparency means that the regulations and processes associated with recruitment are well known and understood by all who have a role to play. This means that the human resources staff, as well as the supervisor with the vacancy and others involved, knows their roles and responsibilities. Information provided to potential candidates about how and why to apply, the process to be followed and the like must be equally available and easy to understand. The websites provided above for the governments of Singapore, Korea and Australia provide examples of clear, concise information that is provided to those who seek public service employment.

What information must candidates supply? Will tests be required? Will references be required?

While the format of providing the information may vary significantly, the most successful public services follow very similar procedures for the information required when applying for a public service position. This information includes the applicant's:

- Contact information
- A description of education and training that is relevant to the position,
- A description of positions held and accomplishments achieved,
- Honors and awards,
- Publications and significant presentations,
- Professional memberships and associations
- References – from supervisors who can attest to the individual's accomplishments and conduct.

Most public services around the world have one or several standardized tests that applicants must take in order to be considered for public service positions. This is particularly true of those countries that are in the process of reforming the processes for selecting individuals for public service positions. Testing is a time honored tradition for public service employment. The first tests were developed and administered in China during the China's Qin Dynasty (221–207 BC). Properly developed testing instruments can provide insight into the degree to which candidates for public service positions process the competencies required to perform successfully. However, they are not sufficient in and of themselves.

Test results should be complemented, at a minimum, by one or several interviews with the selecting official(s) and by reference checks. The interviews allow the selecting official to describe the job and to get the applicant examples of the work he/she will be performing. It allows the applicant to decide if he/she wants to do that type of work and get a sense of the organization, its culture, is values and its performance expectations. Research suggests that the interview is not significantly predictive of success in a particular position, but it is an essential piece of the information gathering and analysis that both the organization and the candidate should do to make the most informed judgment about whether there is a proper fit between the organization and the applicant.

Reference checks also vary in value depending upon the skill of the individual conducting the reference check and the individual providing the reference on performance and conduct in prior employment. At a minimum, it will tend to screen out those candidates who may have conduct and/or attendance problems.

Selection

What criteria and process will be used to assess the capabilities of the applicants for positions? Who will make these decisions?

The criteria used to access capabilities are normally based on the competencies identified through the workforce planning process. Most governments wanted to validate these competencies over time using psychometric principles and techniques.

The decisions on the criteria and processes are usually made by the country's Civil Service Commission or comparable entity which is responsible for setting forth the policies and procedures for public service employment. In some governments, e.g. the United States, the federal judicial is an independent branch of government. When the judiciary is an independent body, or is delegated independent authority for selection and hiring, then the human resources director or a the position/person charged with ultimate authority for human resources regulations, policies and procedures makes these decisions.

What is the role of the organization with the vacancy in selecting individuals to fill positions?

The organization with the vacancy, and particularly the supervisory who will be making the selection works in partnership with the human resources office to develop the advertisement, to identify any special requirements or special qualifications (e.g. a specific language or technical requirement) of the position, to help identify fruitful recruitment sources and to suggest the most effective ways to assess the credentials of the candidates who apply.

Once the candidates for the position have applied and been rated as having the credentials which make them well qualified candidates, the supervisor will interview candidates and recommend the candidate to be hired. In most countries, the human resources office is charged with making the formal job offer for the organization.

What is the process for making and accepting offers of employment?

Who will do the reference checks?

What will be the orientation process for selectees? When will it occur? What will be the content?

A sample description of one government's selection process is below.

The Department's VPS selection procedures have been designed to ensure that the best person for the job is selected through a process that is procedurally fair and based on merit.

- For the purpose of selection, merit is defined as the extent to which each applicant has:
- the skills, knowledge, experience, past performance and other personal qualities relevant to the work to be performed;
- demonstrated good conduct appropriate to public sector employment;
- potential for further development in the Department.
- The Department's selection process is based on the following principles set out in the Public Administration Act 2004:
- employment decisions are based on merit;
- employees are treated **fairly and reasonably** *;
- equal employment opportunity is provided;

- human rights as set out in the Charter of Human Rights and Responsibilities are upheld; and employees have a reasonable avenue of redress against unfair or unreasonable treatment.

The Equal Opportunity Act 1995 specifies that all applicants must receive **fair and equitable** treatment without regard to age, breastfeeding, gender identity, impairment, industrial activity, lawful sexual activity, marital status, parental or career status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation or personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

- The Public Sector Standards Commissioner has issued the following minimum standards in relation to selecting on merit with which Departments must comply:
- Employment decisions are to be based on the proper assessment of individuals' work-related qualities, abilities and potential against the genuine requirements of the employment opportunity;
- Decisions to appoint new employees or promote existing employees are to be based on competitive selection. Processes are to be open and designed to identify a suitable field of qualified candidates;
- Decisions to appoint new employees or promote existing employees from a limited field of candidates are only to be made where candidates are identified based on objective criteria;
- Decisions to assign duties or transfer public sector employees (to roles at an equivalent level) are to be based on proper assessment of the employee against the genuine requirements of the duties or role;
- Decision-making processes are to be fair, accessible, and applied consistently in comparable circumstances;
- Decision-making criteria are to be relevant, objective and readily available to the people subject to the decision;
- Decisions and actions are to be free of bias and unlawful discrimination;
- Documentation is to be sufficiently clear and comprehensive to render decisions transparent and capable of effective review.
- The selection process should be adapted to the requirements of each job. A variety of selection tools may be used as appropriate to determine whether applicants have the skills and competencies necessary for the role.
- These tools may extend beyond the usual process of advertisement, panel interview and referee check to include methods such as assessment at an assessment centre by an external agency, psychometric testing, responses to

simulated situations presented on video and a variety of exercises set during or before interview. Selection tools must be applied consistently to all applicants, be relevant to the job and be free from unlawful discrimination or bias.

- The manager of the work unit is responsible for managing the selection process. For a Student Support Services Officer position, the principal of the base school at which the position is located is responsible for managing the selection process.

For detailed information on specific topics related to selection of staff, select the relevant link under 'Related Topics' below.
http://www.eduweb.vic.gov.au/hrweb/workm/select/selprocNSCH.htm

Developing and providing an orientation for new employees is a critical success factor which helps the new employee understand the mission, vision, values and important programs and processes of the hiring organization. How new employees are introduced to the organization during their first few weeks of employment will often impact their expectations and their success and performance during employment with the organization.

Career Path Development

Career development is defined as progression through a sequence of jobs, involving continually more advanced or diverse activities and resulting in wider or improved skills, greater responsibility and prestige, and higher income. Formerly, career development was seen as the responsibility of the employer, and many organizations had formal career development programs that marked an employee's advancement through the levels of management. However, in the "knowledge economy" of today, and certainly of tomorrow, career development is a shared responsibility between the organization and the individual employee. The organization has an obligation to define clearly its work and the career advancement that is associated with particular jobs and professionals which the organization needs. It also has an obligation to make known the promotion and progression requirements, and how those requirements can be met. The employee has an obligation to continue to learn and grow within his/her profession and to invest the time and effort required to assure the possession of the needed competencies.
The most successful public and private organizations identify the career ladders and progress of each occupation in the organization, identify the competencies required at each level, and identify the types of activities through which those competencies can be acquired. This information is posted where all can have access to the information. Examples of career development activities include:

Benchmarking Site Visits: Visits to federal, state and local governments, major corporations, universities, and nonprofit organizations, where program participants talk with "best practice" leaders. Through benchmarking, participants become skilled at using dialogue to gain insight beyond their individual understanding, an essential skill for leaders responsible for strategic planning.

Coaching: Formal one-on-one relationship between a program participant and an individual trained to provide specific feedback to improve the participant's job performance. Feedback is based on such factors as observation of on-the- job behavior and individual needs assessments. Coaching is more focused on specific job performance than mentoring is.

*Conferences***:** Participants attend full-day meetings consisting of presentations made by individuals knowledgeable in topics related to leadership development. Such meetings may last several days.

Legislative Briefing Conference: For three to five days participants are provided with a comprehensive look at how the legislative branch of government is organized; the key players and their roles; how the legislative process works; and how the legislature directly affects the daily operations of every department and agency in the Executive Branch of government.

Consulting: Providing advice to an organization on processes that it can implement to develop the leadership and managerial skills of its employees.

Coursework: Attending classes or workshops, which may also involve home assignments such as completing readings or writing papers.

Residential Coursework: Visits to federal, state and local governments, major corporations, universities, and nonprofit organizations, where program participants talk with "best practice" leaders. Through benchmarking, participants become skilled at using dialogue to gain insight beyond their individual understanding, an essential skill for leaders responsible for strategic planning.

Developmental Assignment(s): Work assignment(s) designed to provide exposure to different leadership/managerial experiences and perspectives. They include rotations, shadowing, and interviews, which provide visibility at high levels of organizational leadership as well as critical knowledge for long-term career planning.

Discussions: Participants talk about the topics of presentations with the speaker and the other participants.

Distance Learning: Training that is offered via CD-Rom, the Internet, video-teleconferences, and/or correspondence.

Fellowship: Programs designed to fund employees' attendance at university and other external development programs.

Individual Development Plan: A plan written by program participants to be used as a roadmap for career development. The format includes provisions for defining and meeting specific objectives such as rotations and independent study activities, which will promote leadership development both during and after the program.

Individual Needs Assessment(s): Questionnaire(s) which are designed to assess an individual's level of leadership/managerial skills and aspects of interpersonal style.

The results of these assessments are given to the program participants to help them design their individual/leadership/executive development plan.

International Transfer(s): Being assigned to (a) post(s) outside of the United States for the purpose of further developing one's leadership skills.

Interviews: Appointments with Federal managers/executives, during which a program participant interviews them about their careers. The interviews provide an opportunity for participants to interact at high levels of management and to gain critical information for long-term networking and career planning.

Lectures: Presentations by prominent individuals on topics such as foreign policy and leadership development.

Mentoring: Informal or formal relationship between a program participant and a manager in the participant's agency/department; the relationship consists of dialogues meant to support and guide the participant in his/her career.

Networking: Meeting and developing relationships with other professionals who can assist in the development of one's career.

On-the-job Training: Learning how to fulfill managerial duties by doing them as part of a specific position, usually under the guidance of a mentor.

Orientation: Meeting(s) during which new hires learn about the vision, mission, and processes of the agency they work at.

Rotational Assignment(s): Work assignment(s) away from a program participant's current position. During these assignments, participants learn to adapt and successfully lead in a new position and culture by utilizing the techniques and methods presented in their training sessions.

Interagency Rotational Assignment(s): Work assignment(s) at an agency different from the one in which the participant has a permanent position.

Self-development Activities: Activities such as reading certain books or completing a work-related project, which will further develop the participant's leadership skills.

Seminars: Single sessions or short, often one-day meetings devoted to presentations on and discussion of a particular topic.

Shadowing Assignment(s): Observing a Court manager or executive in daily activities for a defined period of time. By watching managers/executives in action, the program participant gains exposure to managerial duties, responsibilities and approaches, and observes how the concepts learned in the program are applied in real-world situations.

Site Visits: Visits to federal, state and local governments, major corporations, universities, and nonprofit organizations, where program participants can see "best practices" in action.

Speaker Series: A sequence of presentations by individuals knowledgeable in the field of leadership development.

Team Projects: Program participants are assigned to a team made up of other participants in the program/course. These teams are designed to strengthen leadership and interpersonal skills, stimulate commitment to personal development, and provide a forum to explore current issues facing Federal managers/executives. Each team works on a project related to a current leadership or policy concern in the Federal government.

360° Feedback Assessment: Multiple-choice questionnaires filled out by a program participant's supervisors, peers and staff for a full picture of the participant's leadership skills. In a graphic and narrative form, individual feedback reports present the results of the assessments, highlighting job strengths and development needs to serve as the basis for the participant's individual development plan.

540° Feedback Assessment: Multiple-choice questionnaires filled out by a program participant's supervisors, peers and staff for a full picture of the participant's leadership skills. In a graphic and narrative form, individual feedback reports present the results of the assessments, highlighting job strengths and development needs to serve as the basis for the participant's individual development plan.

Additional career development resources can be found at the following website sites:

Organization for Economic Cooperation and Development (OECD)
http://workinfonet.bc.ca/bccip/OecdSurvey/default.htm

OECD Report on Career Development Progress
http://www.oecd.org/dataoecd/37/60/1937715.pdf

Asian Development Bank
http://www.adb.org/Employment/ypp.asp

What are the priority positions and career ladders for career development programs?

The workforce analysis and planning system described at the beginning of this paper will be the mechanism which helps the court to identify what are the priority, or mission critical, positions for the court. A mission critical position is one which is essential to the effective operation of the court. Examples include: judges, registrars and certain types of court staff positions. The court leadership should be involved in identifying the mission critical positions based on the strategic goals and objectives the court as a whole wishes to achieve. These decisions then impact what career development programs have a priority for development and implementation. Priority programs have the first call on available human and fiscal resources.

Will the programs be developed and delivered by court staff or by contractors or by a combination?

The court must decide if it wishes to develop and deliver it career development programs with court staff or which contractors, or with a combination of court staff and contractors.

What will be the delivery mechanisms – in person, electronic, combination of both?

Program Management Questions

Will the recruitment, selection and career path development programs be managed centrally or will they be decentralized?

There are two basic options for managing these programs. They can be managed centrally for the entire organization, or they can be decentralized by type of court, or even geographic location of court. If the program is just starting, or being significantly reengineered, the court may well choose to run the program centrally to ensure that the program is developed and implemented as the leadership requires. Well run centralized programs can be more efficient and thus more effective. The court will want to develop the pros and cons of a centralized vs. decentralized model for these programs.

What will be the responsibility of court staff? What will be the responsibility of contractors?

A second set of questions to be asked and answered deals with who will actually do the recruitment, selection and career development work. In part the answer to this question will depend on whether the court has, or can hire, individuals with the competencies needed to develop and implement effective recruitment, selection and career development programs. An option is to begin by hiring contractors who have experience in recruitment, selection and career development. If this option is chosen, the court will need a small staff knowledgeable in these areas to manage the programs and the contracts for the court.

What role will information technology systems play in supporting each of these programs? What is the capacity of the court to provide and use the information technology systems?

The most successful human resources programs in the public and the private sectors are supported by information technology tools. These tools can enhance both the effectiveness and the efficiency of recruitment, selection and career development programs. However, they required that the organization have the competencies to use and manage this system.

Action Plan: The draft action plan identifies the basic tasks associated with program development and implementation. When the mapping study and analysis is completed, a detailed action plan can be developed.

Recruitment and Career Path Action Plan

Tasks	Description	Responsible Party	Sequential Or Consecutive	Completion Date

Present study & recommendations to USAID and the Court leadership	Provide detailed briefing on analysis, findings and recommendations	JKristantini and ICCP leadership	S	NLT October 2009
Court leadership considers study results	Court leadership discusses and decides how it wants to proceed	Chief of Justice	S	TBD
Court leadership makes decisions		Chief of Justice	S	
Detailed action plan developed	Action plan contains all needed tasks, etc		S	
Establish the program	Prepare and issue the proper statutory or regulatory directive	Chief of Justice	S	
Charge the leader to direct the new program	Outstanding leadership is a critical success factor for transformation efforts	Chief of Justice	C	
Assess whether additional or difference type of human resources needed; determine level of financial resources needed	provide sufficient funding; assure assigned staff are competent to produce the work required		S	
Place the program within a specific organization	Decide on the appropriate directorate within the court administrative structure		S	
Prepare the program description	Identify the responsibilities, authorities, accountabilities and reporting relationships of the program		S	
Develop and implement the regulatory and policy guidelines	Identify, develop, publish, implement the rules, regulations, policies and procedures needed to administer the program		C	
Develop and test all needed tools written/electronic guidance and forms, etc.	Testing will assure that the developed guidance, tools forms, etc operate as they were intended		C	

Identify audiences for communications, training, roll out materials and activities and design accordingly	Most organizations have 5-6 audiences – leaders, managers, supervisors, judge/court staff, civil society, citizens		S	
Develop and implement a communications strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and implement a training strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and implement a roll out strategy and plan	First for court leadership and then for judges and court staff		C	
Develop and make available to users all needed tools written/electronic guidance and forms, etc.	This includes written/electronic guidance and forms, etc.		C	
Establish the evaluation program and metrics	The evaluation methodology and the qualitative and quantitative metrics by which program success will be judged		C	
Roll out the program	The program is operational		S	
Evaluate program annually	For the first 3-5 years conduct an annual evaluation. Makes needed adjustments.		S	Annually

Issues for Decision

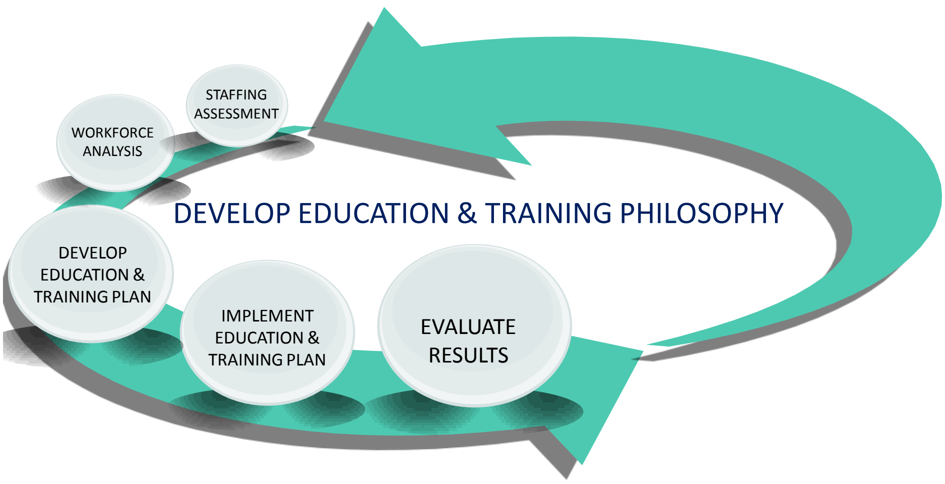
When the study is completed, we will also be able to identify the issues for decision.

Subsection D. Education and Training Program

Program Definition: The Education and Training Program develops and implements the candidate judge training programs as well as other education and training programs for judges and court staff.

The staffing assessment program and the recruitment and career path development programs will impact how education and training programs are developed and implemented. The graphic below defines the links between and among the staffing assessment, recruitment and career path development and the education and training programs of the Court.

EDUCATION AND TRAINGING SUBSYSTEM:
SUCCESSFUL PRACTICES



Subsection E. Restructuring of the Human Office(s)

Program Definition: The Human Resources Program offices of the Court are charged with general administrative functions and the preparation of forms and documents associated with processing various human resources personnel actions such has hiring forms, promotion or transfer requests and the like.

The Staffing Assessment Program, the Job Description Program and the Recruitment and Career Path Development Program require the talents of professionally trained human resources analysts and consultants.

The court must acquire this professional capability if they are to realized the benefits of their investments in improving their human resources programs.

Below is a paper which was prepared under the MCC ICCP project which describes the functions and competencies needed in a modern human resources management office.

Introduction

The modern human resources office must provide both strategic and operational services to its customers. In many countries this dual role represents a challenge for human resources offices. A very different set of capabilities and competencies are required of the human resources leaders, managers, supervisors and employees if they are to provide strategic and operational services successfully.

The evolution of the human resources function reflects the evolution of how public and private organizations value employees. Through much of the 20^{th} century employees were viewed as costs which should be minimized whenever possible.

Only in the last decade of the 20^{th} Century did organizations begin to view their employees as important assets whose capabilities needed to be not only maintained, but developed. This change in value is directly related to the transformation of economies from "muscle" based to knowledge based.

For most of the history of humankind, individuals were valued for the strength of their bodies rather than the capabilities of their minds. In the world of day, and certainly the world of tomorrow, where knowledge is doubling every 18-24 months, and that knowledge is being shared through the power of information technology, the most effective and successful public and private sector organizations are thinking differently about the value of their employees. Even jobs in trades and manufacturing, which have traditionally been considered "muscle" jobs, require highly skilled workers to use the robots which help construct cars and other complex machinery, or help build buildings and roads.

Another factor adding to the need for human resources offices to change is the discovery that the most effective and efficient public and private organizations define their mission, their values and their strategic goals and objectives. These products are then used to decide how fiscal and human resources will be assigned to assure the most effective use of the organization's human talent and to assure that the fiscal resources are used to achieve maximum value in producing goods and services for citizens (public sector organizations) and customers (private sector organizations) are not wasted on non-essential functions and programs.

The impact on the human resources office is that it, too, must now understand that only processing personnel actions and papers and similar services is not longer effective or acceptable. Information technology and machines can now do much of this type of work. The human beings are needed to design and execute the strategies that assure the organization can meet its strategic goals and objectives.

This change naturally led to an examination of the competencies required for the modern human resources office. The paper discusses the evolution of competencies in the first decade of the 21^{st} Century. Appendix A has a more detailed description of competencies developed by the internationally known researcher on HR competencies, Professor David Ulrich.

One of the best explanations of the changes taking place and the reasons for these changes was prepared by Professor Andy Smith, as part of the Consortium Research Program supported by the state and territorial governments Australia. The paper is included in its entirety in Appendix B. As Professor Smith so eloquently states:

> *People are the assets on which competitive advantage is built, whether in the public or private sector, whether in the corporate world or in the world of education. In the words of the latest theory on human resource management, people are an "inimitable" asset. People and their skills are the one thing that competitor organisations cannot imitate. So human resource management and*

the practices associated with it have become accepted by managers in all forms of organisations as one of the most important strategic levers to ensure continuing success.[2]

Strategic Human Capital Models[3]

The interactions of human beings and organizations determine the success or failure of each. The relationships are complex and that complexity is multiplied hundreds of times through actions, reactions, and interactions between and among employees: with each other and with the various components of the organization in which they work.

General systems theory provides a way to understand these actions and relationships, and a way to help structure human capital management policies, programs, and procedures so that they help the organization achieve its strategic goals and outcomes, and so that individual employees are able to achieve maximum effectiveness as employees.

Recently, both scholars and practitioners, seeking to understand how organizations work so that they can become both more efficient and effective, have come to understand that general systems theory also provides a foundation for understanding the linkages between the human beings who work in organizations and the organization itself.

These new insights have helped drive the evolution of human resources management theory, practices, policies, and process into more defined notions of strategic human capital management. The difference between human resources management and strategic human capital management is three-fold.

First, as implied by the word **"strategic," t**here is a direct and inextricable link between the
theory, policies, programs, and processes that apply to people in an organization and that organization's strategic plan which defines critical goals, objectives, and outcomes for the organization. **Second**, as implied by the words **"human capital,"** there is recognition that an organization's employees are assets who bring value to an organization, and that the value of these individuals increases as they work and learn within the organization. **Third,** the organization must invest in its employees by providing education, training and professional develop to help assure that employees continue to have the capabilities needed to do the work of the organization successfully.

Below are several the Strategic Human Capital Models that can be used when thinking about human resources management. All provide the **systemic** linkage between and among the components of the human capital management system (recruitment, retention, compensation, performance management, training and development, etc.) and with the organization's strategic goals and objectives.

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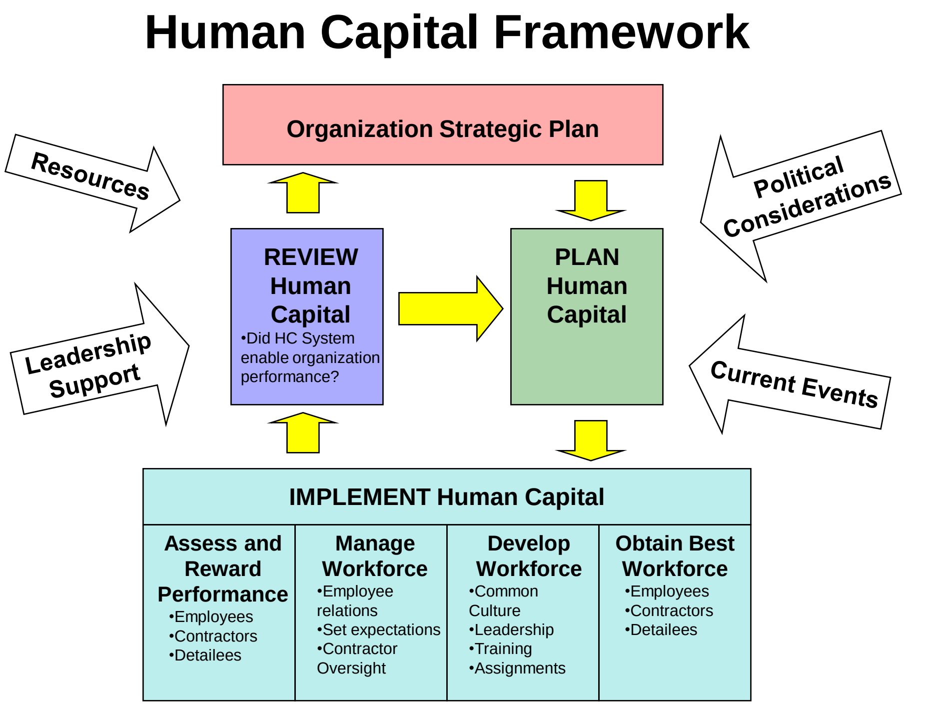
[2] Professor Andy Smith, Consortium Research Program, Department of Education, Science and Training (DEST), Government of Australia. 2006, p 1.
[3]Adapted from: Grunin, Susan Krup, PhD, Joels, Kerry,EdD, Shiplett, Myra Howze, Strategic Human Capital Management: A Practical Guide, pp.2-15. Used with permission from the authors.

This linkage is critical because human capital management programs have no intrinsic value in and of themselves. They have value only as they become enablers that facilitate accomplishment of the organization's strategic goals and objectives.

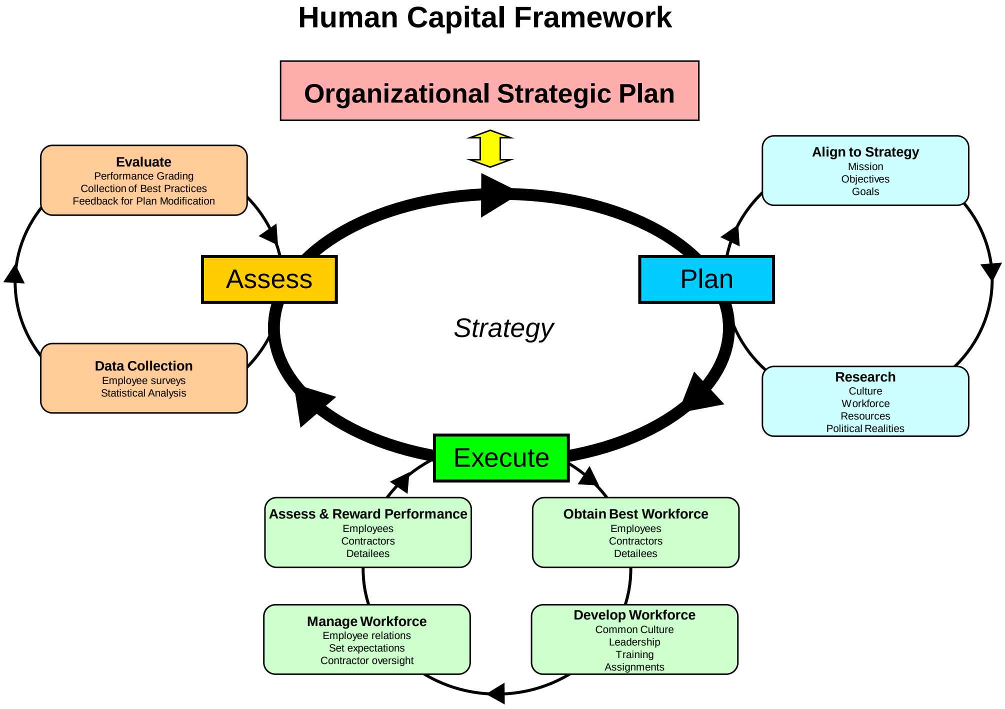
Model One[4]



This model is relatively simple. The arrows show the external influences which impact human resources programs. The Organization Strategic Plan bar with the arrows showing movement between the Plan and reviewing and planning for human capital needs provides the linkage between strategic planning and human capital planning and program activities. The final component is implementation of various human capital programs and initiatives.

[4] Ed Stephenson, Model Designer, Model developed by Human Capital Working Group for the Project on National Security Reform, Myra Howze Shiplett Working Group leader, March 2009.

Model Two[5]



Model Two demonstrates with circular and integrated nature of human capital with the organization' strategic plan, and identifies three phases – assess needs, plan to meet those needs, and execute the plan. The construction of this model provides a stronger visual message about the integrated and related nature of human resources with strategic planning and between and among the "assess, plan and execute" phases of human capital programs and processes.

[5] Anita Blair and Mike Thomas, Model Designers, Model developed the Human Capital Working Group, Project on National Security Reform, Myra Howze Shiplett Working Group leader, March 2009.

Model Three[6]

Model Three also emphasizes the systems relationships between the organization's strategic plan and human capital programs and processes. It provides a broader perspective than the first two models because it shows that the work environment and culture and the work processes influence and are influenced by the organization's strategic plan, decision support systems of the organization, the various human resources systems, the performance management system, the reward systems, and the organization structure.

All three strategic human capital models illustrate how human capital strategic management functions must be considered in relationship to the organization's vision, mission goals, and its HCM functions. It provides trends, tips, and tools for effective human capital management; and it highlights the key issues to assist all mangers in

[6] Grunin, Joels, Shiplett, Strategic Human Capital Management, p.3

better understanding the business connections and alignment between corporate strategy and the human resources functions. The alignment is best done using a strategic human capital framework or model.

In selecting a human capital model that best suits the Indonesian courts, the decision must take into consideration the culture and strategic goals of the Indonesian courts, the culture of public service in Indonesia and the end state the organization wants its human resources programs to achieve.

Functions of a Modern Human Resources Office

In the table below is a defined list of functions performed by modern human resources management offices.

STRATEGIC FUNCTIONS: **Strategic Planning -** includes strategic planning, strategic human capital planning, strategic human capital planning implementation <u>Strategic Planning</u> is an organization's process and methods for defining its future direction by identifying the organization's programmatic goals and the outcomes that must occur if those goals are to be achieved. This analytical process normally also includes the allocation of financial and human resources to achieve the goals and outcomes agreed upon. The product of the strategic planning process is a strategic plan. Strategic plans usually focus on five-year increments. The programmatic and resource allocation results of the strategic plan are reflected in the annual business or operating plans of subordinate units and in employee performance requirements. Organizations that use strategic plans to assure alignment between strategic goals and outcomes and the specific areas of responsibility and accountability of organizations and individuals tend to be more successful than those which do not have a structured process and methods. The Strategic Plan is supported by the <u>Strategic Human Capital Plan</u> which focuses specifically on the human capital programs and initiatives which must be in place to support the organization's strategic goals and outcomes. The <u>Strategic Human Capital Implementation Plan</u> is the document which defines how the action items in the Strategic Human Capital Plan will be developed and implemented and who has responsibility for these actions and activities.
Workforce Planning - includes workforce analysis and planning including planning for the general workforce, succession planning for critical occupation categories, succession planning for all levels of leadership positions, planning for the acquisition of individuals through contracts, grants, volunteers and other alternatives sources. In more recent literature and practice, this is labeled <u>Multi-Sector or Blended Workforce Planning.</u> For the Indonesian court system, workforce planning also includes the <u>Staffing Assessment Program</u>

Workforce Analysis is the analytical exercise to assess current workforce composition and demographics in relationship to the current and future workforce needs of the organization. The first step in workforce analysis for the Indonesian court system is the application of the Staffing Assessment formula. Using this as the point of departure, workforce analysis considers the competencies needed for the current and future work, the presence of those competencies in the current workforce, the age and retirement eligibility of current staff, attrition data, recruitment data and the like.

Based on the Workforce Analysis, organizations develop Workforce Plans which detailed how and within what timeframes the organization will shape and/or reshape its workforce to assure that the organizations has the competencies needed to meet its strategic goals and outcomes successfully.

Succession Planning specifically examines workforce needs in areas such as mission critical occupations or leadership positions and develops plans and programs to assure that the organization has the talent it needs to assure its successful survival.

The Workforce Analysis, Workforce Plans and Succession Plans provide the foundation information for all operational human resources programs including recruitment, hiring, placement, orientation, performance management, compensation/rewards, benefits, promotion, retention, leadership development and employee development, talent acquisition and outsourcing, talent exit and employee and labor relations,

Organization Development (Structure, Change, Culture) **-** is an organization's process and methods for developing its internal capacities to help assure its current and future success in accomplishing its strategic goals and objectives. This category includes activities which support an organization's problem solving and renewal capabilities and capacities including assuring that:

- Work is organized efficiently and effectively into jobs and career paths, with associated authority, responsibility and accountability;
- The organization's values and culture are clearly aligned with its mission;
- Mechanisms (e.g. periodic reviews of program and/or resource allocations) exist to assess whether subordinate units within the organization are meeting agreed upon programmatic and employee performance requirements; and
- Periodic examination and evaluation of programs, policies and procedures occur to reinforce the organization's effectiveness and efficiency.

Knowledge Management - is the set of policies, programs, procedures and tools used to capture, organize, transfer and store knowledge and experiences of individual workers and groups within an organization and making this information available to others in the organization when it is needed. Most organizations consider an information technology tool essential to a successful knowledge management program.

OPERATIONAL FUNCTIONS: **Competency Development and Utilization -** This category of tool includes the development of competencies and use of competencies in various phases of the employee life cycle with an organization. Competencies are the knowledge, skills, experiences and behaviors required to perform successfully in jobs within the workplace.
Talent Management - includes all facets of an individual's employment with an organization including recruitment, hiring, placement, orientation, performance management, compensation, benefits, promotion, rewards, retention, leadership development and employee development. Recruitment - is the laws, policies, programs and procedures used to attract well qualified candidates to fill vacancies within an organization. Recruitment includes such activities as: • Defining the policies and procedures that apply to recruitment activities; • Defining the competencies and capabilities candidates must possess to function successfully in the organization; • Developing an annual recruitment plan which identifies and links needs, sources to fill those needs and the financial resources for recruitment activities; • Defining roles and individuals in the organization who are responsible for recruitment, e.g., HR Department, line managers; • Developing and applying methods to assess candidate credentials; • Evaluating the results of recruitment efforts and using those results to refine the recruitment program and processes; and • Identifying sources for candidates and targeting marketing of positions to the candidate pool interests. Note: the language in the second bullet in retention could be reworked into recruitment. Hiring – is the set of activities and processes required to place an individual on the organization's rolls. It includes such activities as: • Checking references and/or getting college transcripts • Preparing, mailing, tracking letters of offer • Arranging enter on duty dates and related activities • Assisting the new hire's supervision in making all the reporting arrangements • Assisting the new employee with the pre-employment package of forms to be completed Orientation – is a set of events and activities which provide new employees an introduction to the organization's mission, vision, values, culture, strategic goals and outcomes, business processes and its human resources policies and practices. Placement – is a set of activities and processes which assures that an individual employee is placed in a position for which he/she is qualified and for which there is real work to be accomplished. Performance Management - is the laws, policies, programs, processes and tools used to define a mission and desired outcomes, setting performance standards, linking budget

to performance, reporting results, and holding public officials accountable for those results. Performance management concepts and practices are applied to both organizations and employees in organizations. Compensation/Rewards – is the law, philosophy, policies, programs and practices associated with employee pay, as well as the financial and intrinsic rewards and incentives that organizations use the pay, reward and retain employees. Benefits - A non-salary remuneration in the form of insurance, pension, compensated time not worked or other program generally entitled by virtue of one's employment status. Promotion – Movement from a lower level to a higher level position within the organization. Most public organizations have merit based promotion laws, policies and procedures. Retention - is the laws, policies, programs and procedures used to retain the talent that is recruited into the organization. Retention includes such activities as: • Defining the policies and procedures that apply to retention activities; • Identifying the strategies and tactics to retain needed talent, e.g. financial incentives, work assignment incentives, work-life incentives such as flexible work hours, developmental incentives such as training or special assignments, and the like; • Defining roles and individuals in the organization who are responsible for retention of talent, e.g., HR Department, line managers, agency executives; • Developing methods to assess the degree to which the organization is able to retain the talent it needs and wants to retain e.g. employee satisfaction surveys, turnover statistics, exit interviews; and • Evaluating the results of retention efforts and using those results to refine the retention program and processes. Leadership Development - is an organization's processes and programs for assuring that the organization has and will continue to have a supply of well-developed talent from which to select its current and future leaders. Workforce development includes such such things as: • Rotating assignments to assure future leaders have a variety of work experience within the organization; • Mentoring and coaching; • Special development assignments; and • Formal training in leadership tasks and competencies Employee Development - is the range of activities and programs that organizations provide to help assure that employees at every level of the organization have the competencies and capabilities required to carry out the work of the organization effectively and efficiently.
Talent Acquisition/Outsourcing - includes laws, policies, programs and procedures for acquiring talent and/or goods and services through contracts, grants, academic centers of excellence and the due diligence required for outsourcing decisions.

Talent Exit - includes laws, policies, programs which govern an employee's leaving the organization. They include resignation, termination for performance or conduct issues, death, illness and the like.
Employee and Labor Relations - includes the laws, policies, programs and processes which benefit employees and make a positive contribution to enhancing work life within the organization. They include employee assistance programs, leave and vacation programs, alternative work schedules, union and professional organization relationships, actions taken when the workforce must be reshaped through reassignment, downsizing or contracting out and similar activities.
Technology based Tools – are the stand alone or integrated system or application designed to provide information used in HR decision-making, programs and functions. These include: • Enterprise-wide systems for capturing workforce demographics and for processing personnel and payroll actions and activities; • Learning management systems; • A wide variety of "stand alone" systems that support individual human resources programs and functions.
Business Case Analysis/Data Driven Decisions – are qualitative and quantitative analytical tools which assist in developing data driven business/organization cases that support human resources program proposals.

Human Resources Competencies Required

Over the last quarter of a century much time and effort was invested in research to identity the competencies needed for high performance human resources offices. The graphic below, developed by the National Academy of Public Administration[7] in 2001, represented the latest thinking in competency development for public service organizations. As the Academy noted at the time the study was released:

> "*Competencies cannot be used effectively in a vacuum. They must be developed and implemented within the framework of the organization's strategic goals, business objectives and culture."*

[7] Changes in Human Resources Function Since 1996: Implications for Federal HR Competencies, National Academy of Public Administration, Washington, DC, March 2001, p.x.

While much research has been done on HR competencies since the Academy released its study in March 2001, the fundamental competencies have remained the same.

One of the leading thinkers in the United States and internationally on the issue of HR competencies is David Ulrich. Professor Ulrich and colleagues published their latest study in 2007. Entitled HR Competencies: Mastery at the Intersection of People and Business, the book is authored by Wayne Broadbank, Dani Johnson and David Ulrich was published in 2008 by the Society for Human Resources Management, Alexandria VA. The competencies they identified are:

The Competencies and Their Elements[8]

The six competencies and the elements that make them up offer the outlines of what it takes to be successful. **The Credible Activist** is respected, admired, listened to and offers a point of view, takes a position and challenges assumptions by:

- Delivering results with integrity.
- Sharing information.
- Building relationships of trust.
- Doing HR with an attitude (taking appropriate risks, providing candid observations, influencing others).

The **Cultural Steward** recognizes, articulates and helps shape a company's culture by:

[8] Robert J. Grossman, "*Researchers have updated the portfolio of competencies for high-performing HR professionals",* HR Magazine, Vol 52, No. 6.

- Facilitating change.
- Crafting culture.
- Valuing culture.
- Personalizing culture (helping employees find meaning in their work, managing work/life balance, encouraging innovation).

The **Talent Manager/Organizational Designer** masters theory, research and practice in both talent management and organizational design by:

- Ensuring today's and tomorrow's talent.
- Developing talent.
- Shaping the organization.
- Fostering communication.
- Designing reward systems.

The **Strategy Architect** knows how to make the right change happen by:

- Sustaining strategic agility.
- Engaging customers.

The **Business Ally** contributes to the success of the business by:

- Serving the value chain.
- Interpreting social context.
- Articulating the value proposition.
- Leveraging business technology.

The **Operational Executor** administers the day-to-day work of managing people inside an organization by:

- Implementing workplace policies.
- Advancing HR technology.

In comparing the two competency models, the Ulrich model has refined certain of the competency areas, and has added a new competency area – Talent manager and organization designer which recognizes the importance of attracting and developing the organization's talent, developing rewards systems that recognize employee achievements, assuring that the organization is designed to support the strategic goals and objectives and fosters communications.

Comparison of the Two Models

National Academy Competency Model	Ulrich and Associates Model
Business (Organization) Partner	Components of Strategy Architecture & Business (Organization) Ally
Leader	Components of Credible Activist and Strategy Architect

Change Agent	Cultural Steward
Advocate	Credible Activist
HR Expert	Operational Executor
	Talent Manager/Organization Designer

A note about language, western countries tend to use the term “business” (as in business partner, business ally) when referring to both public and privates sector organizations. Other parts of the world prefer the term organization (as in organization partner, organization ally) when referring to the public sector. These substitutions of terminology can easily be made without in any way changing the substance of the model.

Technology Required

The modern HR office is supported by technology. The technology:

- Processes and tracks personnel actions such as hire, transfer, promotion, remuneration changes and the like.
- Provides for an electronic file of the personnel actions of each employee.
- Provides a method for applying via a website or other electronic portal and responses to applicants can be sent electronically.
- Analyzes the credentials of candidates for hire, transfer or promotion against an established set of criteria and provides a list of potential eligible candidates.
- Provides a self-service portal so that employees may update personal information such as name changes, address changes, and the like.
- Provides an audit trail to assure compliance with established rules, regulations and procedures.

Most importantly, the technology tends to increase the speed and accuracy of the work and reduce the paperwork burden associated with human resources programs and functions. If technology is not available, the organization must take this into account when deciding on the number of positions required to staff the HR office appropriately.

Subsection F. Organization Structure Office/Function

Issues Which Require Attention: The Staffing Assessment study completed under the MCC ICCP contract identified significant problems in the delegation and alignment of functions within Court organizations. There is much duplication, unclear lines of authority and accountability and other major dysfunctions in the Courts’ organization structures. Other studies have also identified these issues.

If the Court is to realize the benefits of its investment in Staffing Assessment, it must also address its organization structure issues.

Section III. Conclusions and Next Steps

In order to realize all of the benefits of the human resources programs and tools that the Indonesian Court has developed under the MCC ICCP and the ICCP Extension Programs, it will need to take an integrated approach to program implementation and will need to assure that it invests the resources to establish, maintain and adjust these programs as the organization's laws, policies and procedures are adjusted to reflect the changing nature of the work.

The next steps should include the development of an integrated implementation plan which provides a step by step approach to how the changes to the various human resources programs and issues described in this paper will be resolved and the changes implemented.