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Association of Secretaries General of Parliaments

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from

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on

**Human resources in the Brazilian Chamber of Deputies: the role of the legislative
advice service**

Quito Session
March 2013



BRAZILIAN CHAMBER OF DEPUTIES DIRECTOR GENERAL OFFICE

HUMAN RESOURCES IN BRAZILIAN THE CHAMBER OF DEPUTIES: THE ROLE OF THE LEGISLATIVE ADVISORY

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On behalf of the President of the Chamber of Deputies, Mr. Henrique Eduardo Alves and of the Governing Board, I thank the President of the Association of Secretaries General of Parliaments Mr. Marc Bosc and the Inter-Parliamentary Union for inviting the Brazilian Chamber of Deputies.

It is an honor to contribute once more in this global conference and exchange experiences and good practices on human resources and relations between the parliamentary administration and the staff.

The new scenario for Legislative Branch

Today parliaments worldwide are facing new challenges: society's demand for greater participation in the legislative discussion, the need for laws with more quality and effectiveness, and promotion of digital media as a factor in information sharing and transparency.

The Brazilian Chamber of Deputies is defined by the Constitution of the Federative Republic of Brazil. Deputies are elected to represent the people, to legislate and to supervise the application of public funds. However, the Chamber of Deputies does more than vote the laws. It is responsible for allowing the participation of society in the legislative debate in order to make it more accessible and democratic, resulting in rules to better meet the needs of the Brazilian people.

Mission, Vision and Values

Mission

Represent the Brazilian people, legislate and oversee the acts of the public administration in order to promote democracy and the national development with social justice.

Vision

Consolidate itself as the debates center of the major national themes being modern, transparent with wide citizen participation.

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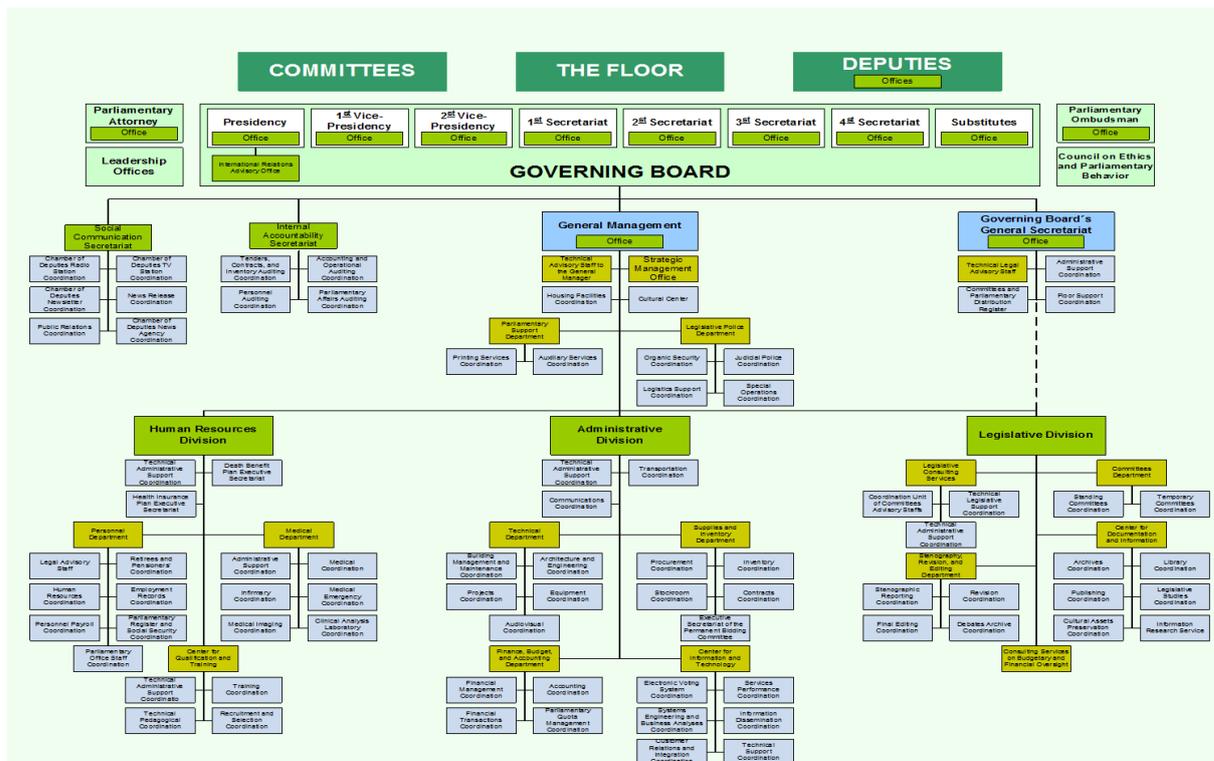
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Values

- Ethics
- Search for excellence
- Independence of the Legislative Power
- Legality
- Pluralism
- Social Responsibility

The organizational structure of the Brazilian Chamber of Deputies

To accomplish this mission, the Brazilian Chamber of Deputies activities are based on an administrative and legislative structure supported by the Governing Board of the Institution.



Human Resources in the Brazilian Chamber of Deputies

The increasing complexity and wide scope of issues on which national legislative institutions should routinely discuss are some of the factors that made the presence of the high technical and legal knowledge staff crucial to the Parliament performance. To accomplish the inherent responsibilities in a democracy such as formulating public policies, review and evaluate proposals and oversee its execution, parliaments need analytical skills and technical expertise that will enable them to address the various issues in order to improve the national legal frameworks and to benefit the plurality of their own society. Perhaps, in the distant past, when the matters discussed in Parliament used to be of low complexity, there was no need for technical staff to assist parliamentarians. Today, we expect a parliamentary performance based on a thorough knowledge of the impacts and consequences of decisions taken by the government.



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Without a staff trained to assist parliamentarians in the process of acquiring information and of essential analysis to produce relevant and effective legislation, there is no way a parliament remain independent of the other Government branches, nor responsive to the citizens concerns.

Therefore, the benefits from a policy of recruiting properly trained staff transcends the Legislative Branch sphere. Indeed, as it reflects an institutional effort to empower the Legislative branch to interact substantially, not only formally, with the Executive branch in the development of public policy, the existence of a legislative staff with knowledge comparable to those existing in other branches of government contributes to reduce asymmetries of information among the powers and give more balance to the relationship between the Executive and Legislative. Thus, strengthens up the democratic process with checks and balances that work in theory and in practice.

The biggest challenge of legislative bodies to ensure analytical capacity through recruitment of technical staff is to harmonize the performance of these staff with the highly political nature of parliamentary work. Then, the central question is how to match the technical-rational with the political approaches in the decision-making process on the Legislative Branch.

In the Brazilian Chamber of Deputies the solution was a tripartite staff policy. In general, the staff consists of three distinct components that serve, respectively, to support needs of parliamentary offices; to advisory needs from political parties and party leaders that act in the House; and to administrative needs to support and technical advice from institutional nature of the House.

In the first case, we have the staff that works exclusively in the parliamentarians offices, whether they are located on the premises of the House, in Brasilia, or in offices assembled in the original states of each parliamentary. This staff, called the Parliamentary Secretary, is responsible for managing the parliamentary offices and for supporting the contact with voters, with local, state and federal authorities. Among the activities performed by parliamentary secretaries stand out press office and media relations, manage correspondence and contact with voters and also advice the individual performance of the parliamentary under the committees and the House's plenary.

The Parliamentary Secretariat is the group with the largest number of employees in the Chamber of Deputies. Currently, 10,465 (ten thousand, four hundred and sixty five) parliamentary secretaries work at the private offices of congressmen in Brazil. This is an average of around 20 employees to each lawmaker.

All parliamentary secretaries are recruited by the deputies according to personal criteria. However, the Institution has a training policy focused on this segment of employees in order to facilitate the secretary's professional improvements.

Moreover, we provide to the parliamentarians a Talent Database, managed by our Human Resources Department, which includes the curriculum of experienced secretaries with expertise in many areas of the legislative process. If they need employees with specific skills to their offices, the Parliamentarians can use the Talent Bank as a source of recruitment.

Due to the segment characteristics, this staff turnover is high in the Institution. Last year, the Department of the Parliamentary Support of the Chamber recorded an average of 300 dismissals per month, although a third of this number has been reused in other offices.



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A second group consists of employees who occupy positions of special nature. This staff is recruited by the leadership offices, particularly from political parties, by parliamentary members of the Governing Board and by the Committees Chairmen.

Currently, the House has 1,324 office holders of a special nature. Most of these are located at the leadership offices. Altogether, there are 871 holders of special nature office at leadership's parties in the Chamber, and the number of positions available to each party is proportional to the number of legislators in each parliamentary bench.

In turn, the offices of the Governing Board, parliamentary body responsible for managing the House's work, hired nearly 300 holders of special nature office. The chairmen of the House committees also can hire trusted advisors to help them with the political work of directing such bodies. The Chamber employs 111 holders of at-will appointment office for this purpose.

Although many of the occupants of positions of at-will appointment are individuals with extensive technical knowledge, they are recruited by essentially political criteria. Affinity with the ideology of the party, for example, seems crucial for this staff recruitment by the party leaders. The personal criteria of confidence are also used by the Chairmen Committees and by members of the Governing Board in recruiting occupants of these positions.

Some holders of at-will appointment office are working in the House, but they were requested from other public administration bodies. Most of those who are requested come from federal bodies, but there are some requested from the state and municipal government. This requested staff enriches the Chamber administration as they incorporate approaches and experiences accumulated in other branches of government to their work.

Both the Parliamentary Secretaries and holders of at-will appointment office are "ad nutum" dismissal, any time.

The third group of workers in the human resources structure at the Chamber of Deputies is composed of public servants belonging to the permanent staff of the institution. These are workers recruited and selected solely by competitive tendering and they hold institutional nature office at the Chamber administration and at legislative process support bodies.

Currently, the Chamber of Deputies has 3.461 effective workers. The majority are university graduates. As the public servants from the other branches of the Republic, the ones from the Chamber are entitled to a steady job after three years of effective exercise, according to the Article 41 of our Constitution.

Such features of this group of public servants, that is higher education, steady job and the institutional nature of their work, end up making them an important factor in the process of continuous institutionalization of the House. Their presence assure the House's institutional memory preservation and ensures the analytic continuity of the parliamentary works from one legislature to another; provide support in the legislative and administrative process, strategic planning and management projects.



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The case of the Legislative Consulting Services and the Consulting Services on Budgetary and Financial Oversight

It is worth detailing here the work of institutional advisory bodies, nonpartisan and multidisciplinary, on where only works the public servants. I refer to the Legislative Consulting Services and the Consulting Services on Budgetary and Financial Oversight.

The Legislative Consulting Services now has 200 jurists and technicians, working in 21 different areas of expertise, dealing with many subjects as constitutional law, energy, transportation, social security, and others. The Legislative Consulting prepares drafts of proposals, opinions, speeches, studies and technical notes with due technical accuracy. In addition, the consultants give preferential technical advice at committee meetings particularly to the rapporteurs of the matters under deliberation. On average, the Consulting produces over twenty thousand jobs a year, accepting from an average of 97% Deputies requests.

In propositional activity, in deliberation and in oversight, the technical advice provided by legislative consultants have been essential and efficient. The technical level of the parliamentary work done today in the Chamber of Deputies of Brazil equates to that performed by the parliaments of the most advanced democracies. For this reason experts from around the world consider some of the laws that we produce in Brazil as an international benchmark, such as environmental law and consumer protection law.

The Consulting Services on Budgetary and Financial Oversight work has become essential to the progress of the budget process in the country. It is enough to mention that all matters relating to the Multi-Annual Plan, the Budget Guidelines Law and the Budget Law are analyzed with the help of our budget consultants. As the Legislative Consulting, Budget Consulting has effective staff, technical, steady job, recruited exclusively through competitive.

Nowadays, the body has 37 consultants to advise the activities of the Joint Budget Committee, the Finance and Taxation Committee and the Committee of Financial Supervision and Control.

The excellence of the work done by the Legislative Consulting and the Budget Consulting has been recognized by international organizations.

For example, the Inter-American Development Bank - IDB, in a report published in 2006, reported the Consulting Body as "a key factor to ensure that agreements and political transactions, resulting from negotiations in the Congress, did not fail because of the technical quality of the laws". According to the IDB, "there is evidence that, with the support provided by the Consultants, the political debate has become more strict, the dialogue between the executive and legislative branches has become more complex and demanding, and the media coverage of the debates are now focus more on technical aspects of the law"

The peculiarity of the staff policy at the Chamber of Deputies aims to provide Parliament with a human resources that can achieve each parliamentary need and their offices, the needs of party leaders, and also institutional needs. The model serves this purpose, combining the purely technical advisory with the essentially political support.