

Challenges and Prospects of Implementing the Tenure System in the Nigerian Federal Civil Service: Performance and Public Service Delivery

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Abstract

The tenure system in the Nigerian federal civil service is a crucial aspect of the country's public sector management. It is designed to provide stability and continuity in public service delivery by ensuring that civil servants are not arbitrarily removed from their positions. The system also promotes meritocracy and career progression based on performance, as civil servants are expected to meet certain standards and benchmarks to earn promotions and job security. However, the tenure system is not without its challenges, including the potential for abuse and manipulation by political leaders, bureaucratic red tape, and inadequate performance evaluation mechanisms. Despite these challenges, the tenure system remains a vital aspect of Nigeria's federal civil service, and efforts must be made to improve its implementation and effectiveness to ensure the delivery of quality public services. This paper recommends among others that the tenure system in the federal civil service should be designed to promote productivity while ensuring job security for civil servants. Clear performance metrics, periodic reviews, training opportunities, rewards for exceptional performance, and regular system reviews can help achieve this objective.

Keywords: *Tenure system, bureaucratic red tape, service delivery, federal civil service*

Introduction

The federal civil service in the United States uses a tenure system to provide job security and protection against political influence for its employees. This system is designed to ensure that employees are evaluated based on merit, and not on political affiliation or other factors. Tenure is typically granted after a probationary period, and it allows employees to be terminated only for cause, such as poor performance or misconduct. The system is intended to promote stability, continuity, and professionalism in the federal workforce (Ogunbanjo, 2022).

The purpose of this paper is to provide an in-depth analysis of the tenure system in the federal civil service. The paper aims to examine the origins and evolution of the system, its benefits and drawbacks, and the challenges it faces in the modern workplace. Provide a historical overview of the tenure system in the federal civil service, examine the benefits and drawbacks of the tenure system for federal employees and the government, analyze the challenges that the tenure system faces in the modern workplace, such as changing workforce demographics and political pressures, assess the potential reforms or alternatives to the tenure system in the federal civil service. These regulations have always been part of the Civil Service Regulations or Public Service Rules. Everyone in the government service can use it. Clearly, the policy's goal is to ensure continuity within the system and provide the officers with some measure of job security (Ajimotoka, 2022).

The paper is organized into the following sections: Introduction: provides background information on the topic and outlines the purpose and objectives of the paper; traces the origin and evolution of the tenure system in the federal civil service, from the Pendleton Act of 1883 to modern-day reforms; examine the advantages and disadvantages of the tenure system for federal employees and the government, including job security, professional development, and accountability; analyze the challenges that the tenure system faces in the modern workplace, such

as changing workforce demographics, political pressures, and the need for flexibility and innovation; discuss potential reforms or alternatives to the tenure system in the federal civil service, such as performance-based pay, term limits, or at-will employment; summarizes the key findings of the paper, and offer recommendations for further research or policy action.

2. Origin of the Tenure System in the Federal Civil Service

The tenure system in the federal civil service refers to the process of providing job security and protections to employees based on their performance and qualifications, rather than political connections or affiliations. The evolution of this system can be traced back to the Pendleton Act of 1883, which was passed in response to the rampant political patronage and corruption that had been prevalent in the civil service at the time (Umaru, 2020; Ashiru, 2009).

The Pendleton Act created the United States Civil Service Commission, which was responsible for overseeing the hiring and promotion of federal employees based on merit rather than political influence. The act also established a system of competitive exams for prospective employees, which was designed to ensure that only the most qualified candidates were selected for government jobs. Over the following decades, the federal civil service continued to evolve and expand, with numerous reforms and changes to the tenure system being implemented along the way. In 1909, the federal government established the first civil service pension system, which provided retirement benefits to eligible employees. In 1939, the Hatch Act was passed, which restricted political activity by federal employees in order to prevent political interference in the civil service (Umaru, 2020).

In the mid-20th century, the federal government began to implement more comprehensive performance management systems, which were designed to evaluate and reward employees based on their job performance and contributions. In 1978, the Civil Service Reform Act was passed, which further strengthened the merit-based hiring and promotion system and provided additional protections for federal employees (Olaopa, 2022).

In the modern era, the federal government has continued to make changes and reforms to the civil service tenure system. Policies changed while President Umaru Yar'Adua was in office. Former Federal Civil Service Head Stephen Oronsaye instituted the hated "tenure policy" for execs like the Permanent Secretary and Director General (Umaru, 2020). The tenure policy was first implemented in the Federal Civil Service of Nigeria via a circular titled "Tenure of Office for Permanent Secretaries and Directors" and dated August 26, 2009. There is a need for a strategy that may revitalise the Federal Civil Service, boost morale among officers, and release the ingenuity of dedicated employees as part of the ongoing changes (Ogunbanjo, 2022). This is why the administration decided that permanent secretary should serve for a maximum of eight years, with the possibility of an additional four-year term based on performance. In 2010, the Federal Hiring Reform Initiative was launched, which aimed to streamline the hiring process and make it easier for agencies to recruit and retain top talent (Umaru, 2020). Additionally, in 2019, the federal government introduced the Federal Employee Paid Leave Act, which provides federal employees with paid parental leave for the first time.

After eight years on the job, directors must voluntarily go out (Ochai, 2022). This permission does not affect the provisions of the Public Service Regulations that require retirement at age 60 and/or after 35 years of service. As such, all current permanent secretaries and directors who will have served for eight years by January 1, 2010, the effective date of this provision, are hereby notified for the purpose of initiating their pre-retirement activities, when required (Umaru, 2020).

Overall, the tenure system in the federal civil service has undergone significant changes and reforms over the past century, with the goal of creating a more merit-based and efficient system of government employment. While there are ongoing debates and discussions about the best ways

to improve the system, the tenure system remains an important part of the federal government's efforts to attract and retain qualified and dedicated employees

The tenure system for federal employees, also known as the civil service system, has been in place for over a century and is intended to provide job security, professional development, and accountability (Umaru, 2020). It provides job security to federal employees. This means that employees cannot be dismissed from their jobs without just cause, such as poor performance or misconduct. This protection allows employees to focus on their work without fear of losing their jobs due to political or personal factors. Again, the tenure system provides opportunities for professional development and career advancement based on merit and job performance (Tribune, 2016). Employees can expect to receive promotions and pay increases based on their qualifications and performance, which encourages them to continue developing their skills and expertise. This can result in a more highly skilled and experienced workforce. The tenure system also provides a degree of accountability for federal employees. In order to maintain their job security and receive promotions, employees must demonstrate competence and job performance (Ajimotoka, 2022). This encourages employees to take their jobs seriously and work to improve their skills and knowledge.

However, there are also several disadvantages associated with this system for both federal employees and the government. One of the primary advantages of the tenure system is that it provides federal employees with job security, meaning that they cannot be fired without just cause. However, this can also be a disadvantage because it can make it difficult to remove employees who are not performing adequately or who have engaged in misconduct (Umaru, 2020). This can lead to a lack of accountability and can have negative consequences for the government and the public. Another advantage of the tenure system is that it provides opportunities for professional development and career advancement. However, this can also be a disadvantage because the system can become rigid, making it difficult for employees to change positions or advance in their careers (Tribune, 2016). This can lead to a lack of innovation and can limit the government's ability to attract and retain top talent. The tenure system is designed to ensure that federal employees are held accountable for their actions and that they are not subject to political pressure or influence. However, this can also be a disadvantage because it can make it difficult to hold employees accountable for misconduct or poor performance (Ochai, 2022). This can lead to a lack of accountability and can erode public trust in the government. The tenure system is often criticized for being inflexible and bureaucratic, making it difficult to respond quickly to changing circumstances or emerging priorities. This can limit the government's ability to adapt to new challenges and can hinder innovation and progress. The tenure system can also be expensive, as it requires significant resources to administer and maintain. This can divert resources from other critical areas and can make it difficult for the government to balance competing priorities (Tribune, 2016). While the tenure system has many advantages, it also has several disadvantages that can have negative consequences for federal employees and the government. As such, it is important for policymakers to carefully consider the costs and benefits of the tenure system and to explore alternative approaches to managing the federal workforce.

3. Challenges of the Tenure System in the Modern Workplace

The tenure system, which provides job security for employees who have served a certain period of time, faces several challenges in the modern workplace. According to Azu (2015); Thisday (2016); Olaopa (2016); Ogunbanjo (2022); Olaopa (2022) & Umaru (2022), some of these challenges include:

Changing Workforce Demographics: With more millennials entering the workforce, there is a shift towards a more flexible and project-based work environment. These younger workers tend

to value work-life balance, career growth, and innovation more than job security. As a result, the tenure system may not be as appealing to these workers as it was to previous generations.

Political Pressures: In some cases, political pressures can impact the tenure system. For example, some politicians may argue that the system is outdated and needs to be reformed. Others may argue that tenure protections make it difficult to remove underperforming or problematic employees, which can lead to lawsuits and other legal challenges.

The Need for Flexibility: Many companies today are looking for more flexibility in their workforce. This may include offering remote work options, flexible schedules, and project-based work arrangements. The tenure system can make it more difficult to offer this kind of flexibility because it is based on a traditional 9-to-5, office-based work environment.

The Need for Innovation: In today's rapidly changing business environment, companies need to be able to innovate quickly in order to stay competitive. The tenure system can sometimes make it more difficult to bring in new talent or to let go of underperforming employees who may be holding back innovation.

The tenure system therefore faces several challenges in the modern workplace. As the workforce demographics change and companies seek more flexibility and innovation, the tenure system may need to adapt to remain relevant.

4. Potential Reforms or Alternatives to the Tenure System in the Federal Civil Service

The tenure system in the federal civil service is a form of job security that provides permanent employment to civil servants who have demonstrated their ability to perform their duties. The system was created to prevent political interference in the civil service and to protect employees from arbitrary dismissal. However, there has been a growing debate about the effectiveness of the tenure system in achieving these goals and whether reforms or alternatives are needed to modernize the federal civil service (Umaru, 2022). There are several potential reforms and alternatives to the tenure system in the federal civil service. Each approach has its advantages and disadvantages, and the best solution will depend on the specific needs of the agency and the priorities of policymakers.

One potential alternative to the tenure system is a performance-based system that rewards employees based on their performance rather than their length of service. This approach would require regular performance evaluations, which could be used to determine promotions, pay increases, and job security (Olaopa, 2022). This system would create a culture of accountability and could motivate employees to perform at a high level. However, this approach could be subject to abuse if evaluations are not fair or transparent, and it could also be difficult to implement in a large bureaucracy with many employees.

Another alternative to the tenure system is fixed-term contracts that would give employees job security for a specified period, such as five years. This approach would provide the benefits of job security without the problems associated with lifetime tenure. Fixed-term contracts would also allow agencies to adjust their workforce to meet changing needs and budget constraints (Ochai, 2022). However, this approach could create uncertainty for employees who may not know if their contract will be renewed and could result in high turnover rates as contracts expire.

A third alternative to the tenure system is to reform the hiring and promotion process to focus on merit-based selection. This approach would ensure that the most qualified candidates are hired and promoted based on their skills, experience, and performance. This could also create a more diverse and inclusive workforce, as it would eliminate the preference for veterans and other groups that may not be as qualified for the job (Umaru, 2020). However, this approach would

require significant changes to the civil service system and could face resistance from powerful interest groups.

At-will employment is a system in which employees can be terminated at any time without cause. This approach is common in the private sector but is not currently used in the federal civil service. At-will employment would provide agencies with more flexibility to adjust their workforce to meet changing needs and budget constraints (Ajimotoka, 2022). However, this approach would eliminate job security for employees and could create a culture of fear and instability in the workplace.

A hybrid model could combine elements of the tenure system with performance-based evaluations and fixed-term contracts. This approach would provide employees with job security and rewards for high performance, while also allowing agencies to adjust their workforce to meet changing needs (Umaru, 2020). This approach would require significant changes to the civil service system and could face resistance from powerful interest groups, but it could offer a compromise solution that addresses the concerns of both sides.

Ultimately, any reforms or alternatives to the tenure system should be designed to protect the integrity of the civil service and ensure that it can effectively serve the needs of the workforce.

5. Conclusion

The tenure system in the federal civil service provides job security to employees who have completed a probationary period, typically one year. This paper examined the origin and evolution of the system, its benefits and drawbacks, and the challenges it faces in the modern workplace. Provide a historical overview of the tenure system in the federal civil service, examine the benefits and drawbacks of the tenure system for federal employees and the government, analyze the challenges that the tenure system faces in the modern workplace, such as changing workforce demographics and political pressures, assess the potential reforms or alternatives to the tenure system in the federal civil service.

It further concludes that tenure protection makes it difficult for agencies to terminate employees without sufficient cause or due process. This implies that miniseries, parastatals and agencies have to go through a lengthy process to remove underperforming employees, which can be challenging and time-consuming. Again, tenure protection can encourage employees to stay in their jobs longer, resulting in reduced turnover rates. Job security can enhance employee loyalty and commitment, which can improve productivity and morale. While tenure provides job security, it is important to ensure that employees are performing effectively and meeting expectations which requires regular performance evaluations and monitoring. Overall, the tenure system in the federal civil service aims to balance job security and accountability while ensuring a stable and effective workforce.

6. Recommendations

The tenure system in the federal civil service is designed to protect civil servants from political influence and arbitrary dismissal, while ensuring that they are competent and qualified to perform their duties. The tenure system in the Nigerian federal civil service is designed to ensure that civil servants have job security and are not easily dismissed from their positions. However, there have been concerns that the system may also promote complacency and hinder productivity, as civil servants may feel they have job security regardless of their performance. To address these concerns, this paper recommends that the federal civil service should ensure that hiring and promotion decisions are based on merit, not political patronage. This can be achieved by improving the civil service examination process, providing training and development opportunities for civil servants, and creating transparent performance appraisal systems. Again, the federal civil service should be more transparent in its decision-making processes, and be held

accountable for its actions. This can be achieved by implementing clear policies and procedures for disciplinary actions and grievance redressal mechanisms. Also, civil servants should be evaluated based on their performance against specific metrics, such as meeting project deadlines, achieving budget targets, and providing quality service to citizens. These metrics should be transparently communicated to all civil servants and used to determine promotions, bonuses, and other incentives. Furthermore, civil servants should undergo periodic reviews to ensure that they are meeting the established performance metrics. These reviews should be conducted by impartial and qualified assessors who are not part of the civil servant's immediate team. This review should take into account feedback from civil servants, supervisors, and citizens. Hence, the federal civil service should provide regular training and development opportunities to help civil servants improve their skills and stay up-to-date with industry developments. This will not only improve their productivity but also keep them motivated and engaged.

References

- Ajimotoka, O. (2022). FG restores civil service tenure policy.
<https://www.thisdaylive.com/index.php/2022/01/19/fg-restores-civil-service-tenure-policy/>
- Ashiru, O. (2009). Public service reform and tenure of permanent secretaries and directors. Daily Trust Newspapers, Abuja.
- Azu, J. C. (2015). Issues in civil service directorate tenure system. <https://dailytrust.com/issues-in-civil-service-directorate-tenure-system/>
- Ochai, E. (2022). FG To Restore Tenure Policy For Directors, Perm Secs.
<https://radionigeriaabuja.gov.ng/2022/01/18/fg-to-restore-tenure-policy-for-directors-perm-secs/>
- Ogunbanjo, D. (2022). Federal civil service tenure policy and calls for abrogation.
<https://www.vanguardngr.com/2023/01/federal-civil-service-tenure-policy-and-calls-for-abrogation/>
- Olaopa, T. A. (2022). Tenure policy restoration in the federal service: Matters arising.
<https://guardian.ng/opinion/tenure-policy-restoration-in-the-federal-service-matters-arising/>
- Olaopa, T. A. (2016). Beyond tenure policy: Perspective for desirable future civil service.
<https://www.thecable.ng/beyond-tenure-policy-perspective-desirable-future-civil-service>.
- Tribune (2016). Tenure policy and the future of civil service in Nigeria.
<https://tribuneonlineng.com/tenure-policy-future-civil-service-nigeria/>
- Thisday (2016). Federal civil service: Issues in tenure abrogation.
<https://www.thisdaylive.com/index.php/2016/06/26/federal-civil-service-issues-in-tenure-abrogation/>
- Umaru, U. (2020) The new public management reform approach and tenure policy in the Nigerian public service.
[https://www.researchgate.net/publication/340174788 THE NEW PUBLIC MANAGEMENT REFORM APPROACH AND TENURE POLICY IN THE NIGERIAN PUBLIC SERVICE/citations](https://www.researchgate.net/publication/340174788_THE_NEW_PUBLIC_MANAGEMENT_REFORM_APPROACH_AND_TENURE_POLICY_IN_THE_NIGERIAN_PUBLIC_SERVICE/citations)