

Institute / Higher School: Law Institute

Chair: Chair of Constitutional and Municipal Law

Level of study: bachelor's degree

Profile: 40.03.01 - Jurisprudence (state and legal profile)

Year: 2017

Subject matter: Constitutional and legal status of municipal employees

Author: Fedorova Elena

Supervisor: Alexeyev I.A., PhD, Associate Professor, the Head of the Constitutional and Municipal Law Chair

The supervising organization: Pyatigorsk State University

The topicality of the research: The implementation of broad democratic reforms in the Russian Federation naturally implies the development of an effective system of local self-government. The current stage in the formation of local self-government is characterized by increased attention to such an important component as the municipal service, the central place in which the municipal employee occupies.

Today, attempts are being made to create an optimal model of a specialist in the field of municipal management. In this perspective, an important category is the legal status (status) of the municipal employee, which in the domestic jurisprudence is not fully understood. It should be noted that the practical activities of this entity, the realization of its professional rights and duties are directly related to a number of socio-economic, political, legal and other factors that affect it, which also require thorough reflection.

The problem considered in this paper has now gained an increased theoretical interest and practical importance in view of the rejection of strict Soviet forms of local administration, as well as in connection with the provision of significant powers to local authorities to resolve issues of local importance. Meanwhile, local authorities are not always rightfully and constructively using the provided independence. One of the negative factors is the lack of knowledge by individual employees of their powers, their inability to competently implement them. Thus, the relevance of the issues of the activities of municipal employees, their legal status is obvious.

The object of this work is the social relations that develop in the process of the municipal employee.

The subject of the study are the rules of law that govern the sphere of municipal service.

The aim of the research is based on the achievements of modern legal science, taking into account the provisions of the current legislation and the practice of its implementation, to investigate the legal status of a municipal employee in the Russian Federation, to develop recommendations for improving it and strengthening its guarantees.

Objectives:

- ~ conduct a historical and legal analysis of the legal status of municipal employees;
- ~ study the concept, characteristics and classification of municipal employees;
- ~ consider the concept and structure of the legal status of a municipal employee;
- ~ analyze the rights and duties of the municipal employee;
- ~ investigate legal restrictions on the rights of a municipal employee and guarantee legal status;
- ~ study the category of responsibility of municipal employees.

The theoretical and practical value of the research is that the research materials can contribute to the deepening of scientific developments in the field of constitutional law and municipal law. Especially it concerns the development of issues of municipal service, legal status, legal awareness and legal culture of municipal employees. Materials can be used to improve the work of local government.

The results obtained: In the course of the study, the following suggestions can be made:

- ~ indicate in the registers of municipal offices of the municipal service of the constituent entities of the Russian Federation, whether an employee who replaces a certain municipal office of a municipal service is an official;

~ identify and consolidate the basic professional rights and duties of the municipal employee in normative legal acts at the federal level, in particular, add to the Federal Law "On Municipal Service in the Russian Federation".

~ emphasize the responsibilities of the municipal employee in terms of detailed and precise establishment of these in order to strengthen the responsibility of municipal employees;

~ To carry out active work on the improvement of local acts, in which the basic rights and duties of the municipal employee are specified and supplemented;

~ conduct a complex of organizational measures to improve the legal culture of municipal employees;

~ To create a stable and fully functioning mechanism for training, retraining and upgrading the skills of municipal employees;

~ finalize the normative legal framework in the field of municipal service;

~ bring the regional and local regulatory framework in line with federal legislation on the basis of the provisions of the Federal Law "On Municipal Service in the Russian Federation".