

Justice Administration in Portugal: Relationship between Seniority and Labor Commitment, and Implications for Employee Turnover Risk¹

Administração da Justiça em Portugal: Relação entre Antiguidade e Envolvimento Laboral, e Implicações para o Risco de Saída dos Colaboradores

Autores: Pedro Miguel Alves Ribeiro Correia, Mariana Teles Viegas Cruz Dias e Inês Raquel Cruz Filipe

Abstract: The relationship between labor commitment and an employee's intention of leaving a given organization is a recurrent theme in the academic literature, and a series of case studies has emerged on the topic, applied to several areas of the public and/or private sectors in Portugal. In the case of the Public Justice Sector in Portugal, the process of retaining Employees in the departments and public bodies under the aegis of the Ministry of Justice is a complex phenomenon with multiple variables, such as "labor commitment", which presents benefits for employees and organizations. This article seeks to ascertain whether statistical evidence exists for a hypothetical relationship between two variables, "seniority" and "labor commitment" among Employees of the Ministry of Justice, with a view to analyzing the implications of that relationship for the turnover risk. The empirical research adopted a quantitative approach, and the survey technique used to collect data was a questionnaire. A total of 351 responses considered valid were collected for the characterization variable "seniority", with a response rate of 56.25%. The absence of normality in the distribution of the levels of perceptions of the scale variable "labor commitment" between the categories for the characterization variable "seniority" led to application of the Kruskal-Wallis non-parametric test, in order to determine whether there was statistically significant evidence of differences between the data groups. The findings revealed the existence of statistically significant evidence of differences in perceptions of "labor commitment" depending on the "seniority" of Ministry of Justice Employees. It was possible to conclude that the variation in levels of perception of "labor commitment" depending on the "seniority" categories of those Employees is not uniform. It is therefore concluded that the group of Employees with the highest level of "seniority" in the organization presents lower levels of perception of "labor commitment", which may be reflected in a greater turnover risk.

Keywords: Justice Administration, Ministry of Justice, Professionals, Seniority, Labor Involvement, Turnover Risk.

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RESUMO: Introdução: A relação entre o envolvimento laboral e a intenção de saída do colaborador de determinada organização constitui um tema bastante recorrente no seio da literatura académica, assistindo-se à emergência de uma série de estudos de caso sobre o tema, aplicados a diversos setores de atividade pública e/ou privada, em Portugal. No caso do Setor da Justiça Pública em Portugal, o processo de retenção dos Colaboradores da Administração Direta e Indireta do Ministério da Justiça, constitui um fenómeno complexo com múltiplas variáveis, tais como o “envolvimento laboral”, que apresenta benefícios para os colaboradores e organizações. O presente artigo pretende averiguar a existência de evidências estatísticas de uma relação hipotética, entre as variáveis “antiguidade” e “envolvimento laboral” dos Colaboradores do Ministério da Justiça, com vista a analisar as implicações dessa mesma relação para o risco de saída da organização. Métodos: A presente investigação empírica possui uma abordagem quantitativa, recorrendo à técnica de inquérito por questionário para a recolha de dados. Foram recolhidas 351 respostas consideradas válidas para a variável de caracterização “antiguidade”, com uma taxa de respostas de 56,25%. A ausência de normalidade na distribuição dos níveis das perceções da variável de escala “envolvimento laboral”, pelas categorias da variável de caracterização “antiguidade” levou à aplicação do teste não paramétrico de Kruskal-Wallis, com vista a aferir a existência de evidências estatisticamente significativas de diferenças entre os grupos de dados. Resultados: Os resultados obtidos revelaram a existência de evidências estatisticamente significativas de diferenças nas perceções do “envolvimento laboral”, em função da “antiguidade” dos Colaboradores do Ministério da Justiça. Discussão e Conclusões: Foi possível concluir que a variação dos níveis das perceções do “envolvimento laboral”, em função das categorias da “antiguidade” desses Colaboradores não é uniforme. Concluiu-se assim que, o grupo de Colaboradores com maior “antiguidade” na organização, apresenta menores níveis de perceção do “envolvimento laboral”, podendo isto refletir-se numa maior propensão à sua saída da organização.

Palavras-chave: Administração da Justiça; Ministério da Justiça; Colaboradores; Antiguidade; Envolvimento Laboral; Risco de Saída do Colaborador.

1. Introduction

Scientific research was first conducted into the labor commitment of employees in organizations in general in the 1940s, but it was only in the 70s and 80s that interest in the topic started to grow. In recent years, organizations have been faced with globalization and sought to

respond to the challenges resulting from the social change brought about by this process. In this context, the hiring and retention of employees who are more competent in doing their job is, for organizations, a potential contribution to attainment of the desirable levels of organizational productivity, quality and efficiency.

As a result of this, scientific research into the labor commitment of employees in organizations has grown in recent years, and labor commitment is treated as a multidimensional concept that can be inter-related both with factors influencing commitment and also with factors that may be influenced by commitment. Indeed, as has been noted in the relevant literature on the topic, measurement of an employee's commitment to work in the organization appears to make employees "good pointers" to behaviors such as absenteeism, punctuality, acceptance of change, individual performance and turnover (Bastos, 1993; Medeiros, Albuquerque, Siqueira, and Marques, 2003).

Even though there is no objective and universal consensus on the definition of "labor commitment", a "common thread" can be seen running through the different perspectives in the literature, in particular, with regard to how judgments are reached on the psychological engagement between individuals and organizations and how this bond can influence the organization, positively or negatively. Labor commitment can therefore be seen as the result of diverse factors that influence employee behavior, helping to shape their decision to stay in the organization, or to leave (Rusu, 2013; Meyer and Allen, 1991).

On this point in particular, it is important to note that employee behavior is a relevant factor for the governance of organizations in the Justice Administration sector in particular, and in the Administrative Authorities in general, insofar as it influences the relationship between public bodies and citizens. This relevance is all the more marked when we consider the shrinking functions assigned to the state, leading to the hollow state (Frederickson, Smith, Larimer, and Licari, 2015) insofar as state functions are transferred from the public sector to the private sector and to non-profit non-governmental organizations, which transfer may be accompanied by adoption of principles belonging to the Anglo-Saxon paradigm (technical paradigm of efficiency) (Bilhim, 2013), as happens in New Public Management.

Some researchers into labor commitment focus on the preliminary factors of labor

commitment, such as in the case of the turnover model proposed by Steers and Mowday (1981). Seventeen articles are mentioned in the Brazilian literature relating labor commitment to the respective antecedents, presenting five differentiated groups of relevant variables: personal characteristics, labor characteristics, relations with leader/group, organizational characteristics and functional variables. With regard to personal characteristics, the connection between the antecedent "seniority in the organization" and "labor commitment" has been widely discussed and several researchers have demonstrated the existence of a relationship of interdependence between them, where seniority in the organization is related to greater labor commitment to the organization (Bastos, 1993; Borges-Andrade, 1994; Medeiros, 2003; Nascimento, Lopes, and Salgueiro, 2008).

There is no consensus in the literature on the relationship between seniority in the institution and labor commitment. Some authors report an incoherent relationship between seniority in the organization and commitment (Lu, Lin, Wu, Hsieh, and Chang, 2002), whilst others present findings where greater seniority in the organization is associated with high levels of commitment (Lum, Kervin, Clark, Reid, and Sirola, 1998; Werbel and Bedeian, 1989).

In contrast, other academic research into labor commitment has focused on the consequences of labor commitment, such as the research by Correia and Bilhim (2014) that identified a significant number of studies demonstrating that investment by organizations in employee selection and training makes it possible to retain key employees, with a view to developing stable relationships with them. This means that it is necessary to identify and understand the factors that are able to influence the organizational behavior consequent to labor commitment, in order to be able to anticipate or advocate some of these. Alongside labor commitment, age, job satisfaction, perceived labor opportunities and relationship with management all have an influence on employees' intentions of leaving organizations (Ferreira and Silva, 2014; Hayes et al., 2006; Lu et al., 2002).

Although labor commitment and its influence on organizational behavior can be studied from different relational perspectives, most of these studies deal with the relationship between labor commitment and employees' intentions of leaving a given organization, as well as dealing with its effects in terms of Human Resources management

(Bastos, 1993). This last relationship is considered in the article by Borges-Andrade (1994), based on a meta-analysis by Mathieu and Zajac (1990), through which it is possible to ascertain that a low level of intention to leave an organization is expressed by greater commitment. For its part, the meta-analysis conducted by Irvine and Evans (1995) reveals the existence of a strong relationship between the intention of leaving an organization and the conduct of nurses in the particular case of the health sector, identifying a number of pointers to the intention of leaving.

In the particular case of the Public Justice Sector in Portugal, the Employee retention process in the departments and public bodies under the aegis of the Ministry of Justice is a complex phenomenon with multiple variables. One of these variables is "labor commitment" which, as already mentioned, brings benefits for employees and the respective organizations, and according to Meyer and Allen (1991) and Rusu (2013), labor commitment may be seen as the outcome of several factors influencing employee behavior, shaping the decision to stay in the organization, or to leave it. Indeed, as already stated in this article, employee behavior is a relevant factor for the governance of organizations in the Justice Administration sector in particular, and in the Administrative Authorities in general, insofar as it influences the relationship between public organizations and citizens, above all when we consider the shrinking functions assigned to the state, leading to the hollow state (Frederickson et al., 2015). It is important to note that the structure of the Portuguese Ministry of Justice, which constitutes our selected research scope, is fairly complex and is established in Articles 3, 4, 5, 6 and 7 of the Organizational Law approved by Decree-Law n° 123/2011 of 29 December. This structure divides into: the 'direct' Administrative Authorities (General Secretariat; Inspectorate- General of Justice Services; Directorate-General of Justice Administration; Directorate-General of Reintegration and Prison Services; Criminal Police), 'indirect' Administrative Authorities (public institutes with devolved powers for financial management and facilities in the justice system, for registries and notarial services, for forensic medicine and forensic sciences, and for industrial property) and also advisory bodies and other types of organizations (Justice Advisory Board; Centre for Judicial Studies; Board for the Protection of the Victims of Crime; Special

Security Programs Board; Insolvency Receivers Assessment and Monitoring Board).

Considering the specific features of the process of retaining Employees in the departments and public bodies under the aegis of the Ministry of Justice, which is a complex phenomenon, influenced by "labor commitment", and considering also that several studies have demonstrated a connection between the antecedent "seniority in the organization" and "labor commitment" (Bastos, 1993; Borges-Andrade, 1994; Medeiros, 2003; Nascimento et al., 2008), this case study seeks to ascertain whether statistical evidence exists of a hypothetical relationship between the variables "seniority" and "labor commitment" among Employees of the Ministry of Justice, in order to analyze the implications of that relationship for the organization's turnover risk. It is here important to reiterate that, although the connection between the antecedent "seniority in the organization" and "labor commitment" has received wide treatment in the literature, there still appears to be no consensus as to the relationship between seniority in the organization and labor commitment: whilst some authors report an incoherent relationship between seniority in the organization and commitment (Lu et al., 2002), others present findings that associate higher seniority in the organization with high levels of commitment (Werbel and Bedeian, 1989; Lum et al., 1998).

2. Metodology

The experimental component of this research was based on a data collection procedure comprising a survey using a questionnaire. A total of 2421 employees of the Portuguese Ministry of Justice were surveyed, considering 2305 responses simultaneously valid for the characterization variable organizational seniority and for the dependent variable labor commitment. A response rate of 10.8% was obtained in a universe of 22247 employees (it should be noted that similar analyses typically present substantially lower response rates).

In the characterization variable "seniority" the categories used referred to years of continuous employment at the Portuguese Ministry of Justice as at the research date: 15 years and under, 16 to 30 years and more than 30 years.

Labor commitment was considered as a latent variable, as suggested by Correia, Carrapato, and Bilhim (2016, 2017). This latent variable comprised three measurement variables: pride in belonging to the organization, dedication and commitment to the organization, and willingness to forgo personal time in order to complete work.

The three measurement variables making up the latent variable "labor commitment" were assessed using a 10-level Likert scale (numerical rating scale), limited at each end (top end: "very high level"; bottom end: "very low level").

Because all the seniority categories presented no normality in the distribution of the levels obtained for perceptions of labor commitment, it was not possible to carry out the equality of means (ANOVA) test in order to establish the statistical relations present in the sample data. It was consequently fundamental to apply the Kruskal-Wallis non-parametric test (Kruskal and Wallis, 1952), which made statistical analysis of the data possible. The significance level used for the statistical tests conducted was 0.0500 (5.00%).

3. Results

Of the 2305 valid observations, it was found (Table 1) that 918 of these referred to employees with seniority of 15 years and under (39.8%), 1153 to employees with seniority of 16 to 30 years (50.0%) and 234 to employees with seniority of more than 30 years (10.2%).

Table 1 – Number of observations per seniority category and respective weight in percentage terms

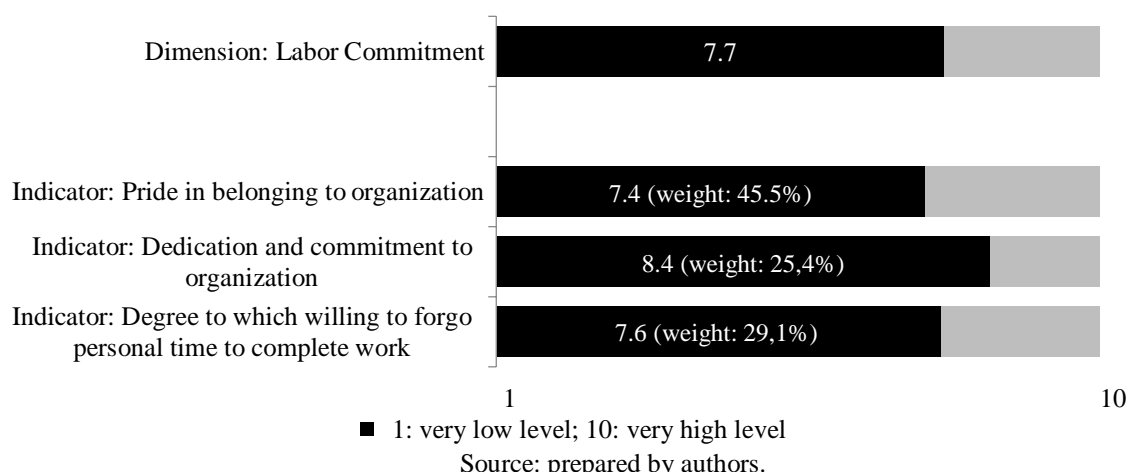
| Seniority | Number of observations | Percentage of total |
|--------------------|------------------------|---------------------|
| 15 years and under | 918 | 39.8% |
| 16 to 30 years | 1153 | 50.0% |
| More than 30 years | 234 | 10.2% |
| Total | 2305 | 100.0% |

Source: prepared by authors.

Graph 1 shows the findings for the latent variable "labor commitment" and for the component measurement variables. When all the observations (2305) are weighted, it is

found that the mean value obtained for labor commitment was 7.68 points and the median 8.05 points. The mean value obtained was calculated on the basis of the assessments for each measurement variable, further accommodating the respective normalized weights: pride in belonging to this organization (normalized weight 45.5%; mean 7.39); dedication and commitment to organization (normalized weight 25.4%; mean 8.36); degree of willingness to forgo personal time to complete work (normalized weight 29.1%; mean 7.57).

Graph 1 - Latent variable "labor commitment" and respective component measurement variables



Source: prepared by authors.

The *Cronbach alpha* was used to ensure unidimensionality, as well as the *Dillon-Goldstein rho* and the *Kaiser* criterion for the normalized values of the main components resulting from a factorial analysis of the indicators for the variable "labor commitment". In order to strengthen the reliability of the measurement variables, convergent and discriminant validity studies were conducted, based on the AVE (Average Variance Explained) concept. The methodology used may be consulted in detailed in Tenenhaus, Vinzi, Chatelin, and Lauro (2005)².

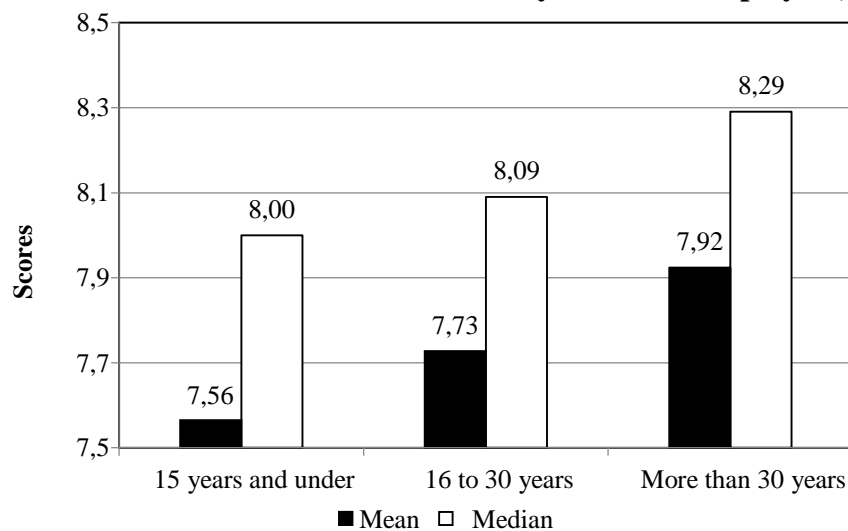
The measurement variables in the latent variable "labor commitment" are presented in Graph 1. On the basis of the responses obtained, it was possible to arrive at an individual score

² The reader is also recommended to consult the work of Correia (2012), Correia (2013), Correia and Bilhim (2014), Correia and Dias (2018), Correia and Garcia (2015), Correia, Moreira, and Garcia (2013) and Correia, Pinto, Garcia, and Dias (2015) for identical uses of this methodology.

for labor commitment for each of the observations. These labor commitment scores served as the basis for the statistical tests applied in order to determine the statistical relationship between the latent variable "labor commitment" and seniority in the organization.

In keeping with their seniority in the organization, Graph 12 presents the values observed for labor commitment means (and medians). It may therefore be noticed that employees of the Portuguese Ministry of Justice with seniority of 15 years and under present a mean value of 7.56 points (median of 8.00 points), 0.12 points below the overall mean value (0.05 points below the overall median). The other categories present higher mean and median values (most notably a mean of 7.92 points and a median of 8.29 points in the category corresponding to employees with seniority of more than 30 years, which are the highest values recorded in the three seniority categories used in the study). In other words, the labor commitment of employees with higher seniority stands out as being the highest (commitment rising with seniority).

Graph 2 - Labor commitment scores for Ministry of Justice employees, by seniority



Source: prepared by authors.

The central issue is to ascertain whether the findings considered are sufficient to be statistically significant or whether, on the contrary, they may be attributed to random fluctuations in the data. In order to clarify this issued, the Kruskal-Wallis non-parametric test was used (Table 2), in which the p-value obtained as 0.036. The level of significance having been established (0.05), the p-value was found to be lower than the level of

significance ($0.036 < 0.05$). This leads to the null hypothesis of the test being rejected and the alternative hypothesis being accepted, meaning that there are statistically significant differences in the perception of labor commitment by employees of the Ministry of Justice depending on their seniority categories. In other words, the employees' labor commitment is not uniform.

Table 2 – Perceptions of labor commitment of Ministry of Justice employees, by seniority (Kruskal-Wallis test)

| | | |
|----------------------------------|---------------------------|-------|
| Commitment by seniority category | Kruskal-Wallis Test Value | 6.653 |
| | Degrees of freedom | 2 |
| | p-value | 0.036 |

Source: prepared by authors.

Statistical confirmation shows that the labor commitment scores for the different seniority categories are different, and we may therefore ask which seniority categories are closest to each other and which are furthest apart,

Table 3 presents the findings obtained from a comparison of the findings of the Kruskal-Wallis test, with help from stepwise step-down method used in the mean ranking of each seniority category. It should be stressed in particular that it is possible to recognize the existence of three sub-groups of employees: sub-group 1, comprising the seniority category of 15 years and under (with the lowest score for labor commitment), sub-group 2, which comprises the seniority category of 16 to 30 years (intermediate scores for labor commitment) and sub-group 3, corresponding to the category of seniority of more than 30 years (the highest scores for labor commitment).

Table 3 – Perceptions of labor commitment of Ministry of Justice employees – Stepwise step-down comparison applied to mean ranking of each seniority category

| Seniority | Size of sample | Sub-groups for alpha = 0.05 | | |
|--------------------|----------------|-----------------------------|---------|---------|
| | | 1 | 2 | 3 |
| 15 years and under | 918 | 1115.02 | --- | --- |
| 16 to 30 years | 1153 | --- | 1167.74 | --- |
| More than 30 years | 234 | --- | --- | 1229.39 |
| | | --- | 0.072 | --- |
| | | | | 0.193 |

Source: prepared by authors.

The relationship between seniority and labor commitment, visible from a simple

descriptive analysis in Graph 2, is statistically corroborated by these results.

4. Discussions and conclusions

Employee behavior is a relevant factor for the governance of organizations in the Justice Administration sector in particular, and in the Administrative Authorities in general, insofar as it influences the relationship between public organizations and citizens, above all when we consider the shrinking functions assigned to the state, leading to the hollow state (Frederickson et al., 2015).

In effect, in the particular case of the Public Justice Sector in Portugal, the Employee retention process in the departments and public bodies under the aegis of the Ministry of Justice is a complex phenomenon with multiple variables. One of these variables is "labor commitment" which brings benefits for employees and the respective organizations, and according to Meyer and Allen (1991) and Rusu (2013), labor commitment may be seen as the outcome of several factors influencing employee behavior, shaping the decision to stay in the organization, or to leave it.

Considering the specific features of the process of retaining Employees in the departments and public bodies under the aegis of the Ministry of Justice, which is a complex phenomenon, influenced by "labor commitment", and considering also that several studies have demonstrated a connection between the antecedent "seniority in the organization" and "labor commitment" (Bastos, 1993; Borges-Andrade, 1994; Medeiros, 2003; Nascimento et al., 2008), this case study sought to ascertain whether statistical evidence exists of a relationship between the variables "seniority" and "labor commitment" among Employees of the Ministry of Justice, and its implications for the organization's turnover risk.

It is important to note that the structure of the Portuguese Ministry of Justice, which constituted our selected research scope is fairly complex and is established in the Organizational Law approved by Decree-Law 123/2011 of 29 December. This structure divides into: the 'direct' Administrative Authorities (General Secretariat; Inspectorate-General of Justice Services; Directorate-General of Justice Administration; Directorate-

General of Reintegration and Prison Services; Criminal Police), 'indirect' Administrative Authorities (public institutes with devolved powers for financial management and facilities in the justice system, for registries and notarial services, for forensic medicine and forensic sciences, and for industrial property) and also advisory bodies and other types of organizations (Justice Advisory Board; Centre for Judicial Studies; Board for the Protection of the Victims of Crime; Special Security Programs Board; Insolvency Receivers Assessment and Monitoring Board).

This case study in the Justice sector has identified the existence of statistically significant differences in the perception of labor commitment of Ministry of Justice employees depending on seniority categories, concluding that the labor commitment of employees is not uniform.

However, although the connection between the antecedent "seniority in the organization" and "labor commitment" has been widely studied in the literature, there still appears to be no consensus as to such a relationship: whilst some authors report an incoherent relationship between seniority in the organization and commitment (Lu et al., 2002), others present findings that associate higher seniority in the organization with high levels of commitment (Lum et al., 1998; Werbel and Bedeian, 1989).

For that reason, the findings obtained in this case study of the Portuguese Ministry of Justice made it possible to verify the conclusions reached in some of the above-mentioned studies and also to contradict the conclusions reached in others of the above-mentioned studies. In effect, this case study made it possible to verify the conclusions reached in the studies of Lum et al. (1998) and Werbel and Bedeian (1989), and at the same time to contradict the conclusions reached in the study by Lu et al. (2002).

Accordingly, this case study also allowed us to verify a tendency for the labor commitment of Ministry of Justice employees to be higher when their seniority in the organization is also higher, reflected in the three sub-groups of employees formed here: sub-group 1. comprising the seniority category of 15 years and under (with the lowest score for labor commitment), sub-group 2, which comprises the seniority category of 16 to 30 years (intermediate scores for labor commitment) and sub-group 3, corresponding to the category of seniority of more than 30 years (the highest scores for labor commitment). In

other words, the labor commitment of employees with higher seniority stands out as being the highest (commitment rising with seniority).

Consequently, when commitment is considered as one of the precursors of the intention of leaving, it may be understood on the basis of the findings of this study that the group of employees of the Portuguese Ministry of Justice with the highest seniority in the organization will tend to manifest the least wish to leave the organization (lower turnover risk).

In addition to making absolute measurements of labor commitment among Ministry of Justice employees, future studies should compare the evolution of the findings obtained over time. It is also proposed that the same collection method be used to gather data from employee groups belonging to sectors other than the Justice sector, in order to ascertain whether statistical evidence exists of a relationship between the variables "seniority" and "labor commitment", what type of relationship exists between them, and also the implications of this relationship for the organization's turnover risk.

Lastly, it is also suggested that comparative studies be carried out, using the same data collection and analytical model as in this study, in different organizations belonging to the public and private sector, in different Portuguese-speaking countries (such as Brazil), because of the cooperation that linguistic proximity will facilitate, mainly in terms of adapting the questionnaire. Such research could make an important contribution to refreshing the findings set out in this article or else to revealing the existence of a richer and more varied reality in labor commitment in different areas of the public and private sector, in Portugal and internationally.

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