

La Fonction publique

5^e édition

Le droit applicable
aux trois fonctions publiques :
État – Territoriale – Hospitalière

EMMANUEL AUBIN

Fonction Publique Emmanuel Aubin

**Fabrice Bretéché, Eddy Fougier, Julien
Sorin, Guillaume Thobaty**

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Droit public 2024-2025 - Cours et QCM Fabrice Bretéché, Eddy Fougier, Julien Sorin, Guillaume Thobaty, 2023-07-11 Les auteurs du présent ouvrage ont souhaité rendre compte de la dynamique qui caractérise aujourd'hui le droit public si sa finalité demeure la satisfaction de l'intérêt général ses sources se multiplient et les techniques mises en œuvre par l'administration se diversifient Cet ouvrage présente donc dans chaque chapitre L'historique du thème traité Les connaissances de base s'y rapportant Le bilan de l'actualité qui présente les évolutions les plus récentes et les interrogations qu'elles suscitent Les perspectives qui permettent d'approfondir la réflexion Le lecteur dispose ainsi d'un ouvrage dont la clarté de l'exposé et l'actualisation ont fait l'objet d'une attention particulière et qui lui offre les outils nécessaires au développement de sa réflexion

Droit public 2023-2024 - Cours et QCM Fabrice Bretéché, Eddy Fougier, Julien Sorin, Guillaume Thobaty, 2022-09-13 Les auteurs du présent ouvrage ont souhaité rendre compte de la dynamique qui caractérise aujourd'hui le droit public si sa finalité demeure la satisfaction de l'intérêt général ses sources se multiplient et les techniques mises en œuvre par l'administration se diversifient Cet ouvrage présente donc dans chaque chapitre L'historique du thème traité Les connaissances de base s'y rapportant Le bilan de l'actualité qui présente les évolutions les plus récentes et les interrogations qu'elles suscitent Les perspectives qui permettent d'approfondir la réflexion Le lecteur qu'il soit étudiant en université ou en Institut d'études politiques candidat aux concours administratifs praticien du droit voire simplement curieux de découvrir le droit public dispose ainsi d'un ouvrage dont la clarté de l'exposé et l'actualisation ont fait l'objet d'une attention particulière et qui lui offre les outils nécessaires au développement de sa réflexion

Droit public 2025-2026 Fabrice Bretéché, Eddy Fougier, Julien Sorin, Guillaume Thobaty, 2024-07-09 Les auteurs du présent ouvrage ont souhaité rendre compte de la dynamique qui caractérise aujourd'hui le droit public si sa finalité demeure la satisfaction de l'intérêt général ses sources se multiplient et les techniques mises en œuvre par l'administration se diversifient Cet ouvrage présente donc dans chaque chapitre L'historique du thème traité Les connaissances de base s'y rapportant Le bilan de l'actualité qui présente les évolutions les plus récentes et les interrogations qu'elles suscitent Les perspectives qui permettent d'approfondir la réflexion Le lecteur dispose ainsi d'un ouvrage dont la clarté de l'exposé et l'actualisation ont fait l'objet d'une attention particulière et qui lui offre les outils nécessaires au développement de sa réflexion

Trente ans de la fonction publique territoriale Gérard Marcou, Jacques Fialaire, 2014-11-01 Etablie par la loi du 26 janvier 1984 la fonction publique territoriale s'inscrit dans une tradition républicaine selon laquelle la situation des agents publics locaux est régie par la voie statutaire et est soumise au principe de l'égal accès aux emplois publics Toutefois de nombreuses formes ponctuelles ont été inspirées par une logique de remise en cause du cadre statutaire Ce dernier a pu jusqu'ici absorber ces formes Qu'en sera-t-il à l'avenir

Rapport d'information sur la déontologie des fonctionnaires et l'encadrement des conflits d'intérêts Fabien Matras, Olivier Marleix, commission des lois, 2018-01-31 Dans la continuité des débats ouverts lors de l'examen de la loi pour la confiance dans la vie politique la

commission des Lois a confié à 18 de ses membres une mission d'information pour faire un premier bilan des évolutions intervenues en matière de déontologie et d'encadrement des conflits d'intérêts pour les agents publics Fabien Matras et Olivier Marleix respectivement président rapporteur et vice président et co rapporteur ont souhaité établir un état des lieux documenté en procédant à de nombreuses auditions rassemblant des acteurs aussi bien issus du secteur public que du secteur privé Sur un total de plus de trente trois heures d'auditions dix huit auditions et sept tables rondes ont été organisées Le rapport d'information considère que le cadre légal tel que modifié en 2016 apparaît aujourd'hui suffisant condition que le dispositif gagne en transparence et que les contrôles soient effectifs Fort de ce constat les Rapporteurs proposent d'abord de renforcer les outils statistiques et d'améliorer la formation initiale et continue pour que tous les agents publics s'approprient ces questions Mais ces évolutions doivent surtout s'accompagner d'un renforcement de la transparence passant en particulier par une publicité systématique des avis de la commission de déontologie D'après le rapport d'information les organes de contrôle doivent par ailleurs être dotés de moyens permettant de vérifier que leurs recommandations ou réserves sont effectivement respectées La commission de déontologie et la Haute Autorité pour la transparence de la vie publique pourraient ainsi fusionner pour former une nouvelle autorité administrative indépendante rattachée nationale en matière de déontologie et d'encadrement des conflits d'intérêts

Droit de la fonction publique Emmanuel Aubin, 2017-07-04 **Les Livres disponibles**, 2004 La liste exhaustive des ouvrages disponibles publiés en langue française dans le monde La liste des auteurs et la liste des collections de langue française

L'essentiel du droit de la fonction publique Emmanuel Aubin, 2007 Ce livre présente en 14 chapitres l'ensemble des connaissances nécessaires à la compréhension des règles qui régissent la fonction publique française vaste ensemble constitué de plus de 5 millions de fonctionnaires de l'état des collectivités territoriales et des hôpitaux publics Il présente les apports des deux lois de février 2007 qui ont modernisé les trois fonctions publiques Au total une présentation synthétique rigoureuse et pratique du Droit de la Fonction publique

L'essentiel du droit de la fonction publique Emmanuel Aubin, 2021-10-12 *Introduction à la vie politique et éléments de sociologie politique* Emmanuel Aubin, Jean-Philippe Lecomte, 2004 Synthèse des éléments nécessaires à une bonne connaissance du système politique français et des notions fondamentales de science politique

Recueil Le Dalloz, 2003 *Livres hebdo*, 2009 [La semaine juridique](#), 2005

Le droit de la fonction publique Emmanuel Aubin, 2015-11-17 Dans un contexte économique contraint l'étude du droit de la Fonction publique permet de mesurer les enjeux et l'avenir de l'emploi public lequel concerne plus de 20% de la population active Avec 5,4 millions de fonctionnaires en 2015 et 900 000 agents contractuels de droit public les trois Fonctions publiques sont confrontées à la nécessaire stabilisation de leur masse salariale et de leurs effectifs dans un contexte marqué par le gel depuis 2010 de la rémunération des personnels une réforme sans précédent jusqu'en 2020 du régime de retraite et des mouvements de personnels au sein de l'Etat et dans les collectivités territoriales en raison des formes administratives La nouvelle édition de ce livre a pour objet l'étude du droit applicable aux fonctionnaires et agents non

titulaires stagiaires contractuels de droit public et de droit privé de l'Etat des collectivités territoriales françaises communes d'arrondissements et régions et des hôpitaux publics Composé de trois parties cet ouvrage développe successivement la diversité humaine et statutaire de la Fonction publique les droits professionnels la fois proches et différents de ceux des salariés et les libertés fondamentales la déontologie les responsabilités et le droit disciplinaire Il est jour des normes les plus récentes intégrant le contenu de la réforme statutaire présentée en Conseil des ministres le 17 juin 2015 qui met l'accent sur la déontologie ainsi que les décisions juridictionnelles pertinentes augmentation du contentieux de 20 % dans la fonction publique Son public est composé des étudiants d'une part en L3 Droit et AES et d'autre part de niveau Master 1 et 2 qui suivent une formation relative au droit de la fonction publique des étudiants des IEP ainsi que des candidats aux nombreux concours de l'une des trois fonctions publiques Il concerne également les fonctionnaires ainsi que les gestionnaires des ressources humaines désireux d'avoir accès rapidement au droit en vigueur Dense argumentée et inscrite dans l'actualité cette 6^e édition donne les clés pour comprendre les évolutions actuelles de la Fonction publique

La politisation des fonctionnaires au Cameroun Martin Paul Ze, 2007 Au Cameroun les agents administratifs en tant que commis de la fonction publique interviennent sans gêne dans le champ politique bafouant toutes les règles de l'impartialité de l'Etat au service duquel ils sont censés travailler pour le bien public Des comportements qui brouillent et faussent les règles du jeu démocratique favorisent la corruption la duplicité des acteurs de la scène publique camerounaise Quelle utopie créatrice mettre en œuvre pour ouvrir un nouvel horizon

L'actualité juridique, 2004

Droit de la fonction publique Emmanuel Aubin, 2001 Le Droit de la Fonction publique a pour objet l'étude du droit commun aux trois fonctions publiques : collectivités territoriales établissements hospitaliers travers l'exposition synthétique de la jurisprudence pertinente et des normes constitutionnelles européennes législatives et réglementaires applicables aux plus de cinq millions de fonctionnaires et agents publics employés par plus de 60 000 personnes publiques Il est évident sans que l'on fasse dans la présentation de distinction entre les trois fonctions publiques la diversité humaine et statutaire de la fonction publique les conditions d'accès aux emplois publics et le déroulement de la carrière les droits et la déontologie des fonctionnaires leur responsabilités sous toutes ses formes administrative civile et pénale ainsi que le régime disciplinaire applicable aux fonctionnaires forment ainsi la matière première de l'ouvrage Ce thème correspond au cours de Droit de la Fonction publique dispensé aux étudiants de licence de droit et de licence d'AES Il intéresse également les étudiants des IEP ayant opté pour la filière service public ainsi que les candidats aux différents concours administratifs de catégorie A et B le Droit de la Fonction publique figurant au programme de la plupart des preuves de droit public des concours de recrutement des collectivités publiques : collectivités territoriales établissements hospitaliers Il s'adresse enfin aux fonctionnaires nouvellement recrutés et aux agents en fonction désireux d'avoir accès rapidement au droit en vigueur les concernant L'ouvrage est jour des normes dispositions législatives et réglementaires et décisions juridictionnelles intervenues en 2000 dans le domaine du droit de la fonction publique

La déontologie dans la fonction publique Emmanuel

Aubin, 2017-10-24 La loi num 2016-483 du 20 avril relative à la déontologie et aux droits et obligations des fonctionnaires renforce la déontologie des agents Historiquement la déontologie des fonctionnaires était comprise en tant que morale publique La transparence de la vie publique concerne tous les fonctionnaires les agents Cet ouvrage donne une définition de la déontologie et pointe les enjeux juridiques notamment pour la GRH dans la fonction publique Il présente les principes de fonctionnement et les valeurs du service public La loi galisation en avril 2016 d'obligations déontologiques d'origine jurisprudentielle et la survivance d'obligations non statutaires mais impératives devoir de réserve l'honneur seront également étudiés Points forts Préparer une matière d'un concours Comprendre les évolutions de la Fonction publique pour préparer les concours ou pour exercer son activité professionnelle *Les études de la Documentation française*, 2011-07 **L'essentiel du droit de la fonction publique** Emmanuel Aubin-Kanezuka, 2023-10-31

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Table of Contents Fonction Publique Emmanuel Aubin

1. Understanding the eBook Fonction Publique Emmanuel Aubin
 - The Rise of Digital Reading Fonction Publique Emmanuel Aubin
 - Advantages of eBooks Over Traditional Books
2. Identifying Fonction Publique Emmanuel Aubin
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Fonction Publique Emmanuel Aubin
 - User-Friendly Interface
4. Exploring eBook Recommendations from Fonction Publique Emmanuel Aubin
 - Personalized Recommendations
 - Fonction Publique Emmanuel Aubin User Reviews and Ratings
 - Fonction Publique Emmanuel Aubin and Bestseller Lists

5. Accessing Fonction Publique Emmanuel Aubin Free and Paid eBooks
 - Fonction Publique Emmanuel Aubin Public Domain eBooks
 - Fonction Publique Emmanuel Aubin eBook Subscription Services
 - Fonction Publique Emmanuel Aubin Budget-Friendly Options
6. Navigating Fonction Publique Emmanuel Aubin eBook Formats
 - ePub, PDF, MOBI, and More
 - Fonction Publique Emmanuel Aubin Compatibility with Devices
 - Fonction Publique Emmanuel Aubin Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Fonction Publique Emmanuel Aubin
 - Highlighting and Note-Taking Fonction Publique Emmanuel Aubin
 - Interactive Elements Fonction Publique Emmanuel Aubin
8. Staying Engaged with Fonction Publique Emmanuel Aubin
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Fonction Publique Emmanuel Aubin
9. Balancing eBooks and Physical Books Fonction Publique Emmanuel Aubin
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Fonction Publique Emmanuel Aubin
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Fonction Publique Emmanuel Aubin
 - Setting Reading Goals Fonction Publique Emmanuel Aubin
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Fonction Publique Emmanuel Aubin
 - Fact-Checking eBook Content of Fonction Publique Emmanuel Aubin
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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