

# *The COVID-19 Crisis and State Administration Authorities: A Systematic Review of National Regulatory Measures Adopted in Czechia*

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Most countries passed new laws in response to the COVID-19 pandemic; yet there is limited literature on their expected effects on public administration. The aim of this paper is to identify what specific organisational elements of state administration authorities were most impacted in

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Czechia by these laws. Using the PRISMA methodology, we systematically reviewed and qualitatively analyzed regulations adopted from March 2020 to October 31, 2021 based on a predefined template and subsequently finalized codes through discussion. The findings show that the government and the Ministry of Health assumed the main role in solving the COVID-19 pandemic in Czechia, secondary law was the key regulator of the functioning of the state administration, and national legal documents mostly affected the elements “people” and “processes”, whereas “technology” was the least affected element, contrary to expectations.

*Keywords:* regulatory response to COVID-19, organizational change, changes in Czech state administration authorities

## 1. Introduction

The COVID-19 pandemic has been regarded as one of the defining policy and public administration challenges of this era (Dunlop, Ongaro & Baker, 2020). According to the literature, most countries and their regional and local governments were not well prepared for it (OECD, 2020; Nemeč & Špaček, 2020; Coles et al., 2022). As a result, coping with the COVID-19 pandemic required a variety of changes in public administration.

Many of these changes were required by measures imposed by newly adopted laws. Since public authorities tend to have their purposes, methods, and spheres of operation defined and constrained by law (Rainey, Backoff & Levine, 1976), the rule of law is a traditional legal and administrative principle (Ropret, Aristovnik & Kovač, 2018) and public authorities were required to follow the national anti-COVID-19 legal measures directed at them. The role of law in coping with the COVID-19 pandemic has been discussed in the literature (e.g. Dobbs, 2020; Fabbrini 2021; Dehio, Ostendorff & Rehm, 2022). Measures imposed by newly adopted law usually included non-pharmaceutical interventions because they were adopted especially to protect public administration personnel and customers, because vaccines were not available in the first phase of the COVID-19 pandemic (Wang & Mao, 2021). Despite the global scale of the COVID-19 pandemic and gradual convergence of policies, the re-

sponse to the COVID-19 pandemic was mainly national (Amat et al., 2020; Alemanno, 2020) and this was also the case of measures imposed by adopted law (Coglianese & Mahboubi, 2021). In the EU, this was also partly due to exclusive healthcare competence of member states (Alemanno, 2020; Lupu & Tiganasu, 2022). Different “regulatory mixes” were adopted in countries and therefore some authors emphasized the need to further study regulatory responses (e.g. Alemanno, 2020; Coglianese & Mahboubi, 2021).

This paper focuses on changes expected in public administration by COVID-19-related laws. Our research was motivated by the fact that even today, more than four years since the COVID-19 pandemic began, the available literature does not pay so much attention to changes in public administration imposed by COVID-19-related legislation, since it concentrates especially on restrictive and coercive measures impacting society as a whole, on discussing impacts of law-making during the COVID-19 period on democracy, parliamentarism, or governance, or on measures supporting the economy or vulnerable groups and their impacts on public budgets. In our paper, we focus on national regulatory (legal) measures in the form of both legal rules and soft law (that refers to quasi-legal instruments like recommendations or guidelines which do not have any legally binding force, or whose binding force is somewhat weaker than the binding force of traditional law) and present findings of our systematic review of national law adopted in Czechia. It is one of the EU member states in which the rule of law principle is considered rather important in the exercise of public powers and the functioning of public authorities (Janderová, 2019; Guasti, Dobovšek & Ažman, 2012; Ropret, Aristovnik & Kovač, 2018). Simultaneously, it is a state of the Central and Eastern European (CEE) region, whose characteristics usually include the so-called “legalistic culture” (Ropret, Aristovnik & Kovač, 2018) significantly influenced by socialist legacies where many public administration workers tend to adhere to bureaucratic norms (see e.g. Kühn, 2011). In this context, this adherence to norms is a manifestation of behaviour that is by Kelsen’s pure theory of law, which is based on the assumption that law is the norm, or, more exactly, a set of norms, a normative order, where the norm is a rule whose meaning is that something ought to be or to be done, even if it is not, or is not done (Kelsen, 2016). Our systematic review focused on national law documents and expected changes in state administration authorities. The objective of the review and at the same time of this article is to explore and identify what organisational elements of state administration authorities were most impacted by the new law. To our

knowledge, no such systematic review of legislation has been published. Therefore, our paper may contribute to the literature exploring regulatory dimensions of handling the COVID-19 pandemic. These facts are the key reason why we decided to elaborate on this topic.

The remainder of the paper is structured as follows. In the following part, we summarize the literature on law and law-making during the COVID-19 pandemic, including the literature on Czechia. This is followed by an introduction to our methodology and the data on which this paper is based. Finally, we outline the national context in Czechia (i.e., national measures to cope with the COVID-19 pandemic) and present the main findings. This is followed by concluding remarks including limitations of our research, comparison with results of other studies and points for future research.

## 2. Literature on the COVID-19 Pandemic and Law and Law-Making in the World and Czechia

New law was adopted in many countries during the COVID-19 pandemic (Coglianese & Mahboubi, 2021). The role of law in coping with the pandemic has been discussed, but some topics have received much more attention than the others.

There is a relatively large body of law-oriented literature on the impacts of the COVID-19 pandemic on law-making and relationships between the executive power and the legislature. It has been found that because of the COVID-19 pandemic, executive power was often strengthened and this strengthening of executive power was performed in states of emergency (Canestrini, 2020; Petrov, 2020; Bar-Siman-Tov et al., 2020; Cormacain & Bar-Siman-Tov, 2020; Lozano, Atkinson & Mou, 2023). In some countries, COVID-19 led to the first nationwide state of emergency in their modern history (Petrov, 2020). National governments or presidents were given extraordinary powers to be able to cope quickly and more flexibly with the COVID-19 pandemic (Christensen & Lègreid, 2020; Canestrini, 2020; Wiratraman, 2020; Griglio, 2020; Petrov, 2020). The executive acted as an emergency first responder and collector of regulatory and administrative rescue measures (Griglio, 2020) and expertise from medical and health experts (Windholz, 2020). Emergency powers enabled the executive to limit individual liberties for a certain period (Wiratraman, 2020). In some countries, the executive style of dealing with the pandemic involved the in-

roduction of new forms of lawmaking, which, according to Griglio (2020), for instance, had far-reaching consequences for personal liberty and police powers and the quality of law. For this reason, courts sometimes tried to strive against executive dominance (Ewing, 2020; Griglio, 2020; Windholz, 2020). With regard to some countries (e.g. Hungary and Poland) it has been discussed whether the empowering of the executive further supported illiberal legality and “illiberalization” (Drinóczi & Bień-Kacała, 2020; Bień-Kacała 2023). This is currently also being discussed in the literature on opportunistic legislation (Sommer, Parent & Lee, 2023).

Some law-oriented papers have paid attention to public authorities' readiness for the COVID-19 pandemic. Horvat and colleagues (2021), for instance, deal with public administration's adaptation to the COVID-19 pandemic (especially its initial wave) in selected CEE countries (Czechia, Hungary, Poland and Slovakia). According to them, the legal order of these countries had to adapt due to the pandemic and public administration had to adapt to new and unprecedented conditions, because their functioning was based on face-to-face interactions. Another topic was the attempt to limit the fundamental rights and freedoms of the citizens of the Czech Republic during the COVID-19 pandemic by ordinary courts and the Constitutional Court in connection with the Act on the Public Health Protection Act and later the Pandemic Act adopted in 2021 (Malíř & Grinc 2024).

Horvat and colleagues (2021) also point to the overproduction of legal regulations related to the pandemic. This “overproduction” of legal regulations is also examined in other literature. Also, Cormacain (2020, p. 245) speaks about “a huge legislative response from governments around the globe”. Dzigbede, Giehl and Willoughby (2020), for instance, point out that the list of executive orders issued by governors in the US in response to the virus was “breath-taking”. Likewise, since the COVID-19 pandemic, the number of laws and emergency procedures used in Czechia increased significantly, representing a five- to six-fold increase from the pre-COVID-19 period (Špaček, 2022). That is also why problems of the diversity and fragmentation of COVID-19-related legislation have been discussed (e.g. Cormacain, 2020) and literature on measuring legislative activity during the COVID-19 pandemic has emerged (e.g. Bar-Siman-Tov et al., 2021; Waismel-Manor et al., 2022). At the same time, discussions about debureaucratization and the call for greater simplification of regulation of administrative procedures during the COVID-19 pandemic have also been published (e.g. Kovač, 2021).

Another strand of COVID-19-related law-oriented literature deals with the constitutionality or legality of the states of emergencies declared dur-

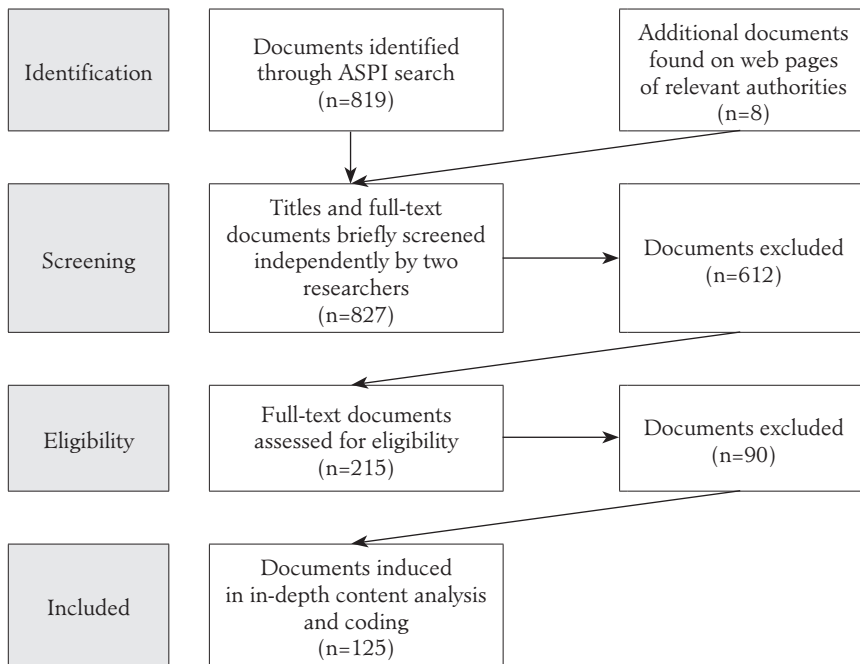
ing the pandemic or with the constitutionality or legality of emergency legislation (e.g. Cormacain, 2020; Thomson & Ip, 2020). With regard to Czechia, Ondřejek (2021) discusses the justification of acts introduced in the states of emergency. There is also a paper by Urbanovics, Sasvári and Teleki (2021) in which the authors investigate the legal and political background of the state of emergency in the V4 group, focusing only on the first wave of the pandemic, and combine secondary sources with social media content. But their findings are mainly concerned with certain problems of democracy, rather than with changes required and made in public administration. Some papers have also outlined legal responses to COVID-19 disinformation – e.g. Radu (2020).

### 3. Materials and Methods

Our research was guided by the following three research questions: (1) Which central authorities took the primary role in adopting national law documents to cope with the COVID-19 crisis in state administration authorities?, (2) What kind of law contained the response to the COVID-19 crisis (specifically regarding the operation of state administration authorities)?, and (3) Which organisational elements within state administration authorities were subjected to the strongest pressure for change in the national legislation and what key organisational changes were expected?

The methodology used to answer these questions relied on a systematic review and the qualitative analysis of legal regulations. A research protocol was prepared and followed in the investigation, including the following steps: (1) identification of “anti-COVID-19” acts, (2) cleaning, (3) qualitative analysis of the final list of acts, (4) coding, and (5) preparation of national reports. In the systematic review, we followed the PRISMA methodology as outlined in Figure 1, because PRISMA has been recognised as an established and useful tool for systematic reviews of the literature. The logic of this analytical tool rests in that researchers first have to figure out research objectives that answer the research question, state the keywords, and establish a set of exclusion and inclusion criteria. Subsequently, in the review stage, relevant articles are searched, irrelevant ones are removed and in the final phase, relevant articles are analysed according to pre-defined categories (for more details see Page, Moher & McKenzie, 2021).

Figure 1: PRISMA diagram presenting the selection process of documents coded



Source: Authors, based on PRISMA (2022)

The first step was focused on the identification of all “anti-COVID-19” acts adopted in the period from March 1 2020 to October 31, 2021. The criteria used for the identification of acts (primary and secondary law and soft law) and their selection were as follows:

- adopted at the central level of government;
- adopted between March 1 2020 and October 31, 2021;
- adopted (explicitly) as a response to the COVID-19 crisis (it was required that COVID-19 or a similar national term be mentioned in the act or its goals);
- clearly referring to or impacting state administration – organizations at the central level<sup>1</sup> and

<sup>1</sup> For Czechia, the group of state administration authorities included the following types: a) ministries; b) central state administration bodies existing within or linked to ministries; c) bodies/administrative offices with nationwide tasks directly controlled by the government and listed in the act on responsibilities of ministries and other central authorities (Act no. 2/1969); d) agencies with separate legal personality (semi-autonomous or more or

- regulation of general situations (e.g. quarantine, provision/availability of protective equipment, testing), which, although not specific to state administration, might have indirectly affected it.

To identify legal acts, we used the ASPI information system for the identification of primary and secondary laws, because no national law information system was available that would enable the team to adjust search criteria. Two searches were carried out in ASPI. During the first search, all types of Czech legal documents approved between March 1 2020 and October 31 2021 containing the word “coronavirus” were searched and 819 documents were found. During the second search, the term “COVID” was used and 739 were found. The results of both searches were exported into rtf. files and saved as MS Word files. The lists were also printed as pdf. files for backup purposes. The two lists were compared and it was decided to work only with the first list containing 819 results. This search in the law database was followed by an additional search that focused on legal documents and soft law; the latter is not registered in ASPI. In searching for these additional documents and information, we were looking at the section “News” on the web pages of the Ministry of the Interior<sup>2</sup>, because this ministry is a general coordinating body for public administration in Czechia; we also used the search tool on the web pages of the Ministry of the Interior (using the same keywords as in ASPI). We also surveyed service regulations and related documents prepared by the State Civil Service Deputy as published on the web pages dedicated to the State Civil Service.<sup>3</sup> Another eight documents were added to the list of documents.

The documents (both legal acts and soft law documents) eventually identified were coded and analysed based on a predefined template that contained 13 sections. The first six sections of the template contained coded information about the acts, as follows: (1) name of the document, (2) date of adoption, (3) institution of adoption, (4) type of document (primary/secondary/soft law), (5) epidemiological situation at the time of adoption, and (6) brief explanation of the act. The second part of the template contained specific coded provisions of the documents according to their temporary/permanent nature and their (potential) impact on organisational elements. In the end, the template contained an additional section – “Additional important information”, for coding all additional information deemed relevant that was not coded in the previous sections of the template.

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less autonomous legal entities, i.e. not subordinated to ministries, they may have their own chapter in the State Budget).

<sup>2</sup> <https://www.mvcr.cz/zpravodajstvi.aspx>

<sup>3</sup> <https://www.mvcr.cz/sluzba/dokumenty-a-stanoviska.aspx>



In our analysis, we differentiated five organisational elements originating from the well-known Leavitt's model (Leavitt, 1965; Kovačič et al., 2004), later adapted and operationalised by Nograšek and Vintar (2014) – technology, people, processes, structure and culture. The legal documents included in our analysis were coded as affecting one of these organisational elements. The elements are defined as follows: (1) “Technology” as the use of ICT; (2) “People” as the availability, adaptability, and productivity of staff; (3) “Processes” as “specific ordering of work activities across time and space, with a beginning and an end, and clearly defined inputs and outputs”; (4) “Structure” as: “(a) the pattern of formal relationships and duties, (b) the way in which the various activities or tasks are assigned to different departments and/or people in the organisation, (c) the way in which these separate activities or tasks are coordinated; (d) the power, status, and hierarchical relationships within the organisation, and (e) the planned and formalised policies, procedures, and controls that guide the activities and relationships of people in the organisation.”; (5) “Culture” as a pattern of shared basic assumptions invented, discovered, or developed by a given group as it learns to cope with its problems of external adaptation and internal integration that have worked well enough to be considered valid and therefore to be taught to new members as the correct way to perceive, think, and feel in relation to those problems (Nograšek & Vintar, 2014, pp. 113–114).

The selection process as well as the coding were first executed independently by two researchers and finalised based on their discussion. The prerequisite for the inclusion of documents in the analysis and the method of coding was at least a 90% match between the findings of researchers.

## 4. Findings

### 4.1. Overview of National COVID-19-Related Measures

According to the available literature, Czechia started adopting pandemic-related measures quite early, before the first death caused by COVID-19 (Petrov, 2020). Since early March 2020, the Ministry of Health used its powers under the Public Health Protection Act (258/2002) and adopted various “measures for the prevention of an epidemic” during the several waves of the pandemic in Czechia. In March 2020, a “nationwide state of emergency” was declared by the government as allowed by the Constitutional Act on the Security of the Czech Republic (no. 110/1998) and specified in the Crisis Man-

agement Act (240/2000) (Petrov, 2020; Urbanovics, Sasvári & Teleki, 2021). This was followed by the adoption of a high number of government resolutions introducing “restrictive measures and, later, also measures aimed at helping the economy” (Petrov, 2020; Špaček, 2020; Jahoda, Malý & Špaček, 2021). Later, emergency resolutions issued by the government in accordance with the Crisis Management Act were amended multiple times, some were replaced by decrees of the Ministry of Health of nearly identical content but issued in accordance with the Public Health Protection Act because – as outlined in more detail by Petrov (2020), the Public Health Protection Act limited the state’s liability for damages. However, some emergency anti-pandemic measures were taken completely without reason and their quality was highly questionable, which led to their cancellation at the turn of 2020 and 2021, due to the relatively restrained approach of the administrative courts and the Czech Constitutional Court.

#### 4.2. Regulatory Institutions and Documents Adopted in Response to COVID-19

As outlined, 37 documents were at the centre of our analysis. Table 1 shows percentages of regulatory documents adopted by different regulatory institutions. The results show that “national executive bodies were the ones that prevailed in adopting regulations expecting changes” in state authorities due to the COVID-19 pandemic.

The national government adopted an important amount of documents that regulated state administration authorities, with the Ministry of Health being the main central body that adopted regulations requiring changes in the state administration. Together, these institutions adopted more than 90% of documents impacting the state administration authorities. Although the Ministry of the Interior is a central body responsible for the coordination of public administration and a special unit (Office of the Deputy Minister for the State Civil Service) was established for coordination of the State Civil Service (as regulated by Act 234/2014), the roles of the Ministry and the Deputy were somewhat marginal, as was that of Parliament (8.1%). The vast majority of these documents were of a secondary type (91.9%), which is probably because there seems to have been no general tendency of key policy actors to significantly change the nature and scope of the powers as set out in the period before COVID-19. Specifically, these documents focused on the functioning of state authorities and public service provisions and included six subtopics related to (1) the communication between state authorities; (2) the functioning of critical

infrastructure; (3) the use of e-application for testing by health protection authorities; (4) the operation of state service authorities (work of civil servants); (5) health protection in prisons; and (6) social benefits.

From an epidemiological point of view, more than half of the documents (52%) were adopted in a quite favourable situation and the others (48%) in a serious epidemiological situation. Only a minimal number of documents (14%) were adopted in a favourable epidemic situation (see Table 3). Of these documents, only one primary legal act was adopted in a very serious epidemiological situation, along with two soft laws and a large number of secondary documents (14). All the above information is listed in Table 1.

Table 1: *Regulatory bodies and type of legislation adopted due to COVID-19*

Institution	Number	Share (%)
Government	19	51.4
Ministry of Health	15	40.5
Ministry of the Interior	2	5.4
Parliament	1	2.7
<b>Total</b>	<b>37</b>	<b>100</b>
Type of document		
Primary	1	2.7
Secondary	34	91.9
Soft law	2	5.4
<b>Total</b>	<b>37</b>	<b>100</b>
Epidemiological situation*		
>=480	15	40.5
240-479	3	8.1
30-59	6	16.2
10-29	8	21.6
<10	5	13.6
<b>Total</b>	<b>37</b>	<b>100</b>

Note: \* Number of cases per 100,000 inhabitants

Source: Authors

### 4.3. Impacted Organisational Elements

The acts adopted in response to the COVID-19 pandemic affected the elements “Technology”, “People” and “Processes” – leaving the elements “Culture” and “Structure” seemingly untouched. However, the latter two elements require additional data and (field) analysis before making more firm conclusions about the impact of the pandemic on them. Analysis solely of the legal framework is not sufficient, as “culture” is an aspect rarely regulated by written rules, while change in organisational “structure” requires a more long-term and strategic approach before it is legally regulated.

The elements most affected by the 125 provisions coded were “Processes” (38.5%), “People” (26.5%) and, finally, “Technology”(23%) (Table 2).

Table 2: *Number and share of organisational elements affected by the provisions*

Organisational elements	Number	Share (%)
Technology	29	23.2
People	33	26.4
Processes	48	38.4
Culture	0	0
Structure	0	0
Additional information	15	12
<b>Total</b>	<b>125</b>	<b>100</b>

Source: Authors

As the main focus of the documents adopted by national bodies was on the element “Processes”, requirements focused especially on procedures that were expected to replace processes carried out in face-to-face interactions with clients or other civil servants and ease the use of written, electronic or telephone communication – as mandatory official alternatives to physical contact, and provision of electronic services. Additionally, the deadlines for some processes were extended (e.g. in the Social Security or tax administration). The provisions affecting processes also included those related to the exchange of information between public bodies (e.g. related to testing and the spread of disease) (for more details, see Table 3).

Table 3: *Impact of analysed documents on “Processes” (N=48)*

Insti-tution <sup>1</sup>	Number of doc.	Topic	Impacts
MH	2	Health protection in prisons	INFORMATION FLOWS: – Prison service authorities should require visitors to sign a declaration that they are not quarantined and have no symptoms of the disease/they should implement organisational and hygiene-related measures.
MH	1		COORDINATION OF ACTIVITIES: – Temporary decision of prison service authorities on joint accommodation of prisoners of some types to mitigate risks of the spread of COVID-19 among prisoners and employees.
GOV	1	Communication between state authorities	INFORMATION FLOWS: – Extensions of some deadlines in the provision of information in international cooperation in tax administration.
MH	1		– General Health Insurance Company (VZP) is to provide the Institute of Health Information and Statistics of the Czech Republic (ÚZIS) with information about persons paying public health insurance without delay and the requirement to register these data in the IS of Illnesses.
MH	5	E-application for testing used by health protection authorities	INFORMATION FLOWS: – The Institute of Health Information and Statistics of the Czech Republic (ÚZIS) is to provide regional authorities with access links to health service providers on their territories.
GOV	3	Border crossing/ return from risk areas	COORDINATION OF ACTIVITIES/PROCESSES: – In the case of personal contacts, relevant protective measures should be applied; – Only necessary tasks ensuring continuity should be performed; – Public authorities should reduce their office hours- – Measures related to distancing, availability of dispensers for hand disinfection, use of protective measures and more extensive hygiene measures should be implemented; – Necessary provision of protective equipment: to work with job modes that enable economic use of antigen tests.
GOV	20	Operation of state service authorities/ Work of civil servants	
MH	11		
DIM	1		
GOV	3	Social benefits	AUTOMATISATION/ELIMINATION/ TRANSFERENCE/ COORDINATION OF ACTIVITIES AND RENOVATION OF THE ENTIRE PROCESS: – Simplification of some procedures related to the provision of some social benefits.

Notes: <sup>1</sup>PAR = Parliament, GOV = Government, MH = Ministry of Health, DIM = Deputy of the Interior Minister for the State Civil Service.

Source: Authors

Although the documents analysed did focus on “People”-related issues, they were more interested in (re)organisation of the workplace (with regard to distancing) and the work of civil servants with the purpose of restricting contacts and securing health protection standards (including the use of protective equipment, shifts of employees, teleworking) (for more details see Table 4).

Table 4: *Impact of analysed documents on “People” (N=33)*

Institution <sup>1</sup>	Number of doc.	Topic	Impact
GOV	4	Operation of state service authorities/ Work of civil servants	CHANGE OF COMMUNICATION CHANNELS: – Preference for written, electronic, or phone communication with clients/between civil servants inside/outside public authority.
MH	4		CHANGE OF THE AMOUNT OF WORK AND DUTIES PER EMPLOYEE: – Only the minimum necessary number of employees should be present at a workplace; – In the case of quarantine of part of the employees, public authorities should ensure their functionality by alternating separate groups of employees/remote working.
GOV	9		
MH	3		– In the case of different locations, duties of superiors to employees and duties of employees are specified (timely and proper performance, informing superiors, following legislation, etc.).
DIM	5		– Reassessment of working from a different place and its dynamic combination with presence of employees at workplaces, or just using remote work; – Personal contacts with clients should be reduced.
DIM	3		– Necessary distancing in the cases of employees present at a workplace and personal contacts with clients; – Minimalising personal contact with other persons in offices.
GOV	5		

Notes: <sup>1</sup> PAR = Parliament, GOV = Government, MH = Ministry of Health, DIM = Deputy of the Interior Minister for the State Civil Service.

Source: Authors

“Technologies” were expected to help state administration authorities maintain their functionality, and provisions we coded expected the re-

placement or limitation of personal contact and a preference for written, electronic or telephone communication with clients/between civil servants inside/outside public authorities, working from home (teleworking) and, also, increasing the scope of digitalisation and electronic processing of tasks. The provisions also expected some relaxation of duties, e.g. simplified electronic application for social benefits (without qualified e-signature, allowing submission of a scanned/photographed version of an application) (for more details, see Table 5).

Table 5: *Impact of analysed documents on “Technology” (N=29)*

Insti-tution <sup>1</sup>	Number of doc.	Topic	Impact
GOV	2	Border crossing/return from risk areas	Limitation of personal contact and preference for written, electronic or phone communication with clients/between civil servants inside/outside public authority.
MH	8	Operation of state service authorities/Work of civil servants	Replacement of personal contact with clients/between civil servants by written, electronic or phone communication, incl. transmission of electronic documents.
GOV	15		
GOV	2	Operation of state service authorities/Work of civil servants	Preferences and increasing scope of digitisation and electronic task processing.
GOV	2	Social benefits	Enabling the electronic application for a benefit (without using qualified e-signature, allowing scanned/photographed version of the application).

Notes: <sup>1</sup> PAR = Parliament, GOV = Government, MH = Ministry of Health, DIM = Deputy of the Interior Minister for the State Civil Service.

Source: Authors

Additional information included 12% of the documents and expected the use of the e-application for testing by health protection authorities, social benefits (child care allowances for employees who could not perform their job due to caring for children), and, also, special duties of employees working in the critical infrastructure and requirements on the functioning of the critical infrastructure (for more details, see Table 6).

Table 6: *Additional important information without exclusive impact on state administration organizations (N=15)*

Insti-tution <sup>1</sup>	Number of doc.	Topic	Additional important information
GOV	3	Use of e-application for testing by health protection authorities	TECHNOLOGY – All health protection authorities should use exclusively the electronic application available in the National Healthcare Information System and resort registers (NZIS) and also indicate the type of test (PCR / rapid test).
GOV	1	Social benefits	PEOPLE – WORK CONDITIONS: – Eligibility for childcare allowances for employees who cannot perform their jobs due to providing childcare.
MH	2	Health examinations	PEOPLE – CHANGE OF THE EXTENT OF WORK AND DUTIES PER EMPLOYEE: – The presence of employees is permitted only when they have tested negative for COVID-19. PEOPLE – REQUIREMENTS FOR EMPLOYEE/EMPLOYEE TESTING: – Employees should test negative at the request of their employer (except where they have recovered from COVID-19, are vaccinated etc.).
GOV	1	Functioning of critical infrastructure	PEOPLE – THE DUTIES OF EMPLOYEES/INSTRUCTIONS: – Critical infrastructure workers should stay at places designated by their employer both during security breaks and also during their time off (with some exceptions).
GOV	1		– Critical infrastructure organizations can designate “critical employees” whose presence in the workplace is necessary for the functioning of the critical infrastructure.
GOV	7		PEOPLE – CHANGE OF THE EXTENT OF WORK AND DUTIES OF EMPLOYEE: – Critical infrastructure employees should follow instructions of their employers concerning their new duties related to the state of emergency (e.g. organisation of their work, required work location, use of protective equipment); – Public health offices should change quarantine measures to enable critical infrastructure employees to carry out their tasks if they have had potential contact with someone positive for COVID-19 but are asymptomatic.
GOV	7		PROCESSES – SOURCING: – Critical infrastructure organisations should designate contractors necessary for their functioning (maintain a regularly updated list of these contractors).

Notes: <sup>1</sup> GOV = Government, MH = Ministry of Health

Source: Authors



## 5. Conclusions and Future Research Agenda

The article outlines the results of our systematic review and qualitative analysis of legal documents adopted by national bodies in Czechia during the period of March 1 2020 to October 31, 2021.

Similarly to other countries (and irrespective of the specific national context), the executive branch generally assumed a leading role in dealing with the COVID-19 pandemic. This does not come as a surprise because precarious and unpredicted events (as an epidemic of this scale implies) require fast reaction, which the legislative branch – often caught between different ideological and/or political positions – cannot effectively provide. Nevertheless, a closer look at the results reveals certain case-related specifics. The key executive organs that shaped the organisation of state administration were the government and the Ministry of Health. Their prominent role in coping with the COVID-19 epidemic (as accentuated during several states of emergency declared in compliance with the Crisis Act (Act No. 240/2000), reflected on the focus of the documents, embedding a strong health protection narrative.

Secondary law was used as the key format for the regulation of issues related to state administration. It was rather general, requiring them to reduce personal contacts (with clients as well as colleagues from public authorities) and service provision; ensuring necessary protective equipment, and recommending electronic channels in their communication and work from home. Only the work of state civil servants from home was specified in more detail by the follow-up regulation of the Deputy for the State Civil Service as an area that had not been regulated in the State Civil Service Act before the epidemic. Other areas (requirements) were not supplemented by any guidelines of the Deputy, so the situation and measures implemented in individual state administration authorities are expected to differ – inter alia, due to prior use of ICT in internal communication processes, service delivery, etc. To be implemented, the legal changes should have been more extensively accompanied by coordination and evaluation of their impacts. However, data on this are not yet available and further research is needed.

The systematic review of the legal documents suggests that the elements “People” and “Processes” were particularly impacted by the national legal documents. Contrary to our expectations, our results clearly show that the element “Technology” was the least affected, although the level of digitalisation in 2020 and 2021 was below the EU average (Van der Linden

et al., 2021). This is probably why changes relied on people (and their working from home) and existing processes (which were relaxed based on the legal changes). This relaxation of duties also resulted in extensions of deadlines for various administrative tasks, including personal documents. It is not clear from the available literature to what extent the COVID-19 pandemic has affected e-government strategies and programmes, and more research on this would be beneficial. Due to the expected impact of the changes in the element of “People”, future research should also pay attention to the perceptions people in public administration had of the changes made in public authorities due to the COVID-19 pandemic.

Following the above, it is appropriate to state that the results of our research are complementary to the findings that were identified by other researchers who focused on the same topic in the context of Czechia (especially Klimovský, Nemeč & Bouckaert, 2021; Chvojka & Kovalčík 2022; Malíř & Grinc 2024). In conclusion, we would like to state that we believe that the research carried out by us does not have too many limitations, since we tried to identify all relevant legislative documents, and at the same time we used a fairly extensive literature which we have tried to analyze and present as professionally as possible.

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## THE COVID-19 CRISIS AND STATE ADMINISTRATION AUTHORITIES – A SYSTEMATIC REVIEW OF NATIONAL REGULATORY MEASURES ADOPTED IN CZECHIA

### Summary

*In this article, we present findings of a systematic review and qualitative analysis of legal documents adopted by national bodies in Czechia in response to the COVID-19 pandemic. Our goal was to fill the gap in existing research that focused mainly on restrictive and coercive measures that have impacted the society as a whole until now and paid less attention to changes expected in public administration by laws adopted during the pandemic. Our research showed that the executive branch took the leading role in solving the COVID-19 crisis in Czechia, as in other countries. However, the difference can be seen in that the key executive organs that shaped the organization of state administration were the government and the Ministry of Health, which participated in creating documents focused on health protection. The secondary law was used as the key format for the regulation of issues related to the functioning of the state administration and specifically to the reduction of personal contacts and service provision, ensuring protective equipment and the use of electronic communication channels needed for work from home (for which a new, not yet existing regulation was created). Moreover, the systematic review of the national legal documents showed that while the elements “People” and “Processes” were significantly affected by them, the element “Technology” was minimally affected, even though the level of digitalisation in Czechia has been below the average of EU countries in recent years. The prevalence of work from home was carried out both by the relaxation of existing administrative processes and by extensions of deadlines for various administrative tasks.*

**Keywords:** regulatory response to COVID-19, organizational change, changes in Czech state administration authorities

## KRIZA COVID-19 I DRŽAVNA UPRAVA – SUSTAVNI PREGLED NACIONALNIH REGULATIVNIH MJERA USVOJENIH U ČEŠKOJ

### Sažetak

*U ovom radu predstavljamo rezultate sustavnog pregleda i kvalitativne analize pravnih dokumenata koje su usvojila nacionalna tijela u Češkoj kao odgovor na pandemiju COVID-19. Na taj smo način pokušali popuniti prazninu u dosadašnjim istraživanjima koja su se uglavnom fokusirala na restriktivne i prisilne mjere koje utječu na društvo u cjelini, a manje pozornosti pridavala promjenama koje su se u javnoj upravi mogle očekivati od zakona donesenih tijekom pandemije. Naše je istraživanje pokazalo da je izvršna vlast preuzela vodeću ulogu u rješavanju krize COVID-19 u Češkoj, kao i u drugim zemljama. No, razlika se vidi u tome što su ključni izvršni organi koji su oblikovali organizaciju državne uprave bili Vlada i Ministarstvo zdravstva koji su sudjelovali u izradi dokumenata usmjerenih na zaštitu zdravlja. Podzakonski akti korišteni su kao ključni format za reguliranje pitanja vezanih za funkcioniranje državne uprave, i to konkretno za smanjenje osobnih kontakata i pružanje usluga, osiguranje zaštitne opreme i korištenje elektroničkih komunikacijskih kanala potrebnih za rad od kuće (za što je izrađen novi propis). Sustavno preispitivanje nacionalnih pravnih dokumenata, štoviše, pokazalo je da, iako su oni značajno utjecali na elemente 'Ljudi' i 'Procesi', element 'Tehnologija' bio je minimalno pogođen, iako je razina digitalizacije u Češkoj ispod razine prosjeka zemalja EU-a posljednjih godina. Prevalencija rada od kuće provedena je kako fleksibilizacijom postojećih upravnih procesa, tako i produljenjem rokova za razne upravne poslove.*

*Ključne riječi: regulativni odgovor na krizu COVID-19, organizacijska promjena, promjene u češkoj državnoj upravi*