

Civil service Act - Development and result

Abstract

The new Civil Service Act (CSA) is a significantly amended version of the previous Civil Service Act № 218/2002 that never came fully into force. This thesis briefly describes the main principles and reasoning behind the proposed legislative measures, taking into account specific socio-political context and reflecting previous practice of public employment in the Czech Republic. During 21 years of its existence, the Czech Republic was governed by 13 different governments. In average, the state witnessed change in its leadership every 18 months. This political instability left a significant mark on the Czech public administration that continuously suffered from excessive political interference. In connection with the accession to the EU, the Civil Service Act approved by the Commission was adopted in 2002. Its entry into force, however, was five times postponed by numerous Czech governments, allegedly because of high budgetary demands of the implementation (the reason that has never been proven). The employment of state employees was based on the Labour Code and they did not enjoy any special legal protection. Frequent changes of top and middle management of the administrative bodies that usually followed after each political change led to the loss of institutional memory as well as administrative capacity. The situation in public administration has been viewed as unsustainable by many experts, members of civil society as well as some politicians. In December 2013, a group of Social Democratic MPs submitted to the Chamber of Deputies (lower house of the Czech Parliament) an amendment to the original CSA of 2002. In its policy statement, the current Czech coalition government of Mr. Bohuslav Sobotka has set the adoption of the new and updated Civil Service Act a top priority. The author of this thesis welcome the new Civil Service Act and hope in depolitization and profesionalization of civil service thanks to this Act. A comparison is made with the Slovak republic.