

ORGANIZATIONAL AND LEGAL ASPECTS OF ENSURING INTELLECTUAL AND PERSONNEL SECURITY OF TRADE ENTERPRISES

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Abstract. *The activity of trading enterprises is characterized by a number of significant differences, one of which is the possibility of achieving the set goals solely due to the knowledge, skills, experience and skills of employees. The value of the workforce is determined by the ability to collaborate with suppliers and influence consumers to promote products in a competitive environment. The exceptional role of employees changes the structure of the economic security of a trade enterprise, where financial and personnel become the main functional components. The conducted research is aimed at proving the need to consider intellectual and personnel security, based on the fact that in modern conditions for trade enterprises, it is not the physical capacity of employees that is important, but their intellectual ability to quickly navigate the changing market situation, to closely cooperate with consumers and to use digital marketing tools as efficiently as possible. In order to form the theoretical foundations of ensuring the intellectual and personnel security of a trade enterprise, the following methods were applied: induction and deduction, comparison and systematization, synthesis and analysis, morphological analysis, graphical, abstract-logical. Separate organizational and legal aspects of security activities are considered, which in modern conditions should provide for the organization of remote work and increased competition for employees who are able to creatively approach the solution of atypical problems. The composition of the main external and internal threats was determined, which served as a necessary basis for establishing the directions of professional activity of security subjects in the conditions of trade enterprises.*

Keywords: *personnel security, intellectual and personnel security, trade enterprise, threat, salary, security subject*

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Introduction. For a long time, one of the most difficult problems for Ukrainian enterprises remains: critically high staff turnover, an unsatisfactory level of labor productivity, and the propensity of personnel to commit criminal acts. The activity of trade enterprises is characterized by the specific role of employees, whose intellectual and professional level directly affects the effectiveness of financial and economic activity as a result of direct interaction with suppliers and consumers. COVID-19 has prompted a rethinking of the fundamentals of business-employee interaction, when, due to the need to perform tasks remotely, digital competencies have become especially important for employees, and companies have been forced to quickly organize digital workplaces. Digitization has created conditions for obtaining and analyzing large amounts of information, which contributes to the continuation of active economic activity even under the conditions of quarantine restrictions, but the issue of control over the performance of tasks by each individual employee has become more acute. Digital literacy has become the minimum acceptable criterion for a job applicant, and the ability to learn and apply the acquired knowledge to creatively solve atypical tasks is a condition for career growth. The increase in the

share of the digital economy, which has manifested itself to the greatest extent in the service sector, provokes the emergence of new threats that are directly related to the actions or inaction of the employee. In general, the need to consider the organizational and legal aspects of ensuring the intellectual and personnel security of a trade enterprise, in relation to which the object of security is the employee, is being actualized.

Literature review. Considering the fact that the concept of «intellectual and personnel security» is significantly inferior to the term «personnel security» in terms of the activity of its use in academic circles and among business representatives, we carefully studied the publications of such scientists as T. Ruda, I. Moiseyenko, O. Marchenko, G. Nazarova, Sh. Lopnova, which define the essence, parameters and prove the need to consider intellectual and personnel security. G. Koptev, L. Kalinichenko, O. Shumalo and Yu. Kulimyakin considered the issue of the sphere of activity of security entities in relation to intellectual and personnel security. Despite the significant contribution of these scientists, certain issues of ensuring intellectual and personnel security require further in-depth consideration, in particular in the context of the impact of COVID-19 and military actions outside the territory of our country. The materials of such organizations as the State Statistics Service of Ukraine and the United Nations Department of Economic and Social Affairs, Population Division became the analytical basis of the need to consider trade enterprises of intellectual and personnel security, which ensured integrity in achieving the set objectives.

Aims. The purpose of the study is to clarify the content of intellectual and personnel security, consider certain organizational and legal aspects of its provision with the determination of key internal and external threats and outline the directions of actions of security entities in the conditions of commercial enterprises.

Methods. In order to form the theoretical foundations of ensuring the intellectual and personnel security of a trade enterprise, the following methods were applied: *induction and deduction, comparison and systematization* — in the study of the essential characteristics of the terms «personnel security» and «intellectual and personnel security»; *synthesis and analysis* — during the determination of trends regarding changes in the main indicators of the activity of trading enterprises; *morphological analysis* — to clarify the content of the main internal and external threats and outline the organizational and legal aspects of ensuring the intellectual and personnel security of trade enterprises; *graphic* — for visual presentation of theoretical and methodical material; *abstract-logical* — for theoretical generalizations and research conclusions.

Results. The level of activity in the use of the term «intellectual-personnel security» cannot be considered high, rather unsatisfactory. This is caused by two interrelated circumstances that are relevant for trade enterprises: firstly, ensuring economic security is primarily focused on eliminating threats arising in the financial sphere, in particular regarding payment discipline; secondly, preventive measures are carried out with the aim of reducing losses due to theft by consumers and identifying facts of abuse of their position by company employees. In such conditions, the

aspects of ensuring intellectual and personnel security are on the second plan, which, due to increased competition, provokes the emergence of threats that are realized due to certain financial losses, requiring the use of significantly greater resources for their elimination, compared to the option when they would be determined with a higher level of priority for security subjects. That is, there is a reaction to the consequences, when the root causes remain unnoticed and provoke further instability in the level of economic security. This is based on the role of personnel in the activity of a trade enterprise, when employees directly interact with suppliers and consumers, and their motivation and qualification level determine the results of the enterprise's financial and economic activity. Based on these statements, the process of ensuring economic security should be transformed in the conditions of trade enterprises by first focusing attention on the issues of intellectual and personnel security, and then on financial, power, information and other components. In accordance with the above, in the future we will focus on the consideration of the parameters of the functioning of trade enterprises, the characteristics of existing approaches to the interpretation of intellectual and personnel security with consideration of organizational and legal aspects and the outline of priority tasks of security entities in accordance with key internal and external threats.

In order to prove the necessity of carrying out scientific investigations in the field of formation of theoretical foundations for ensuring the intellectual and personnel security of trade enterprises, we have characterized several key parameters of their activity in accordance with the data of the State Statistics Service of Ukraine. The first such parameter was the dynamics of the number of trade enterprises engaged in such types of economic activity as «wholesale trade, except trade in motor vehicles and motorcycles» and «retail trade, except trade in motor vehicles and motorcycles» (hereinafter «wholesale trade» and «retail trade»), which is graphically presented in fig. 1.

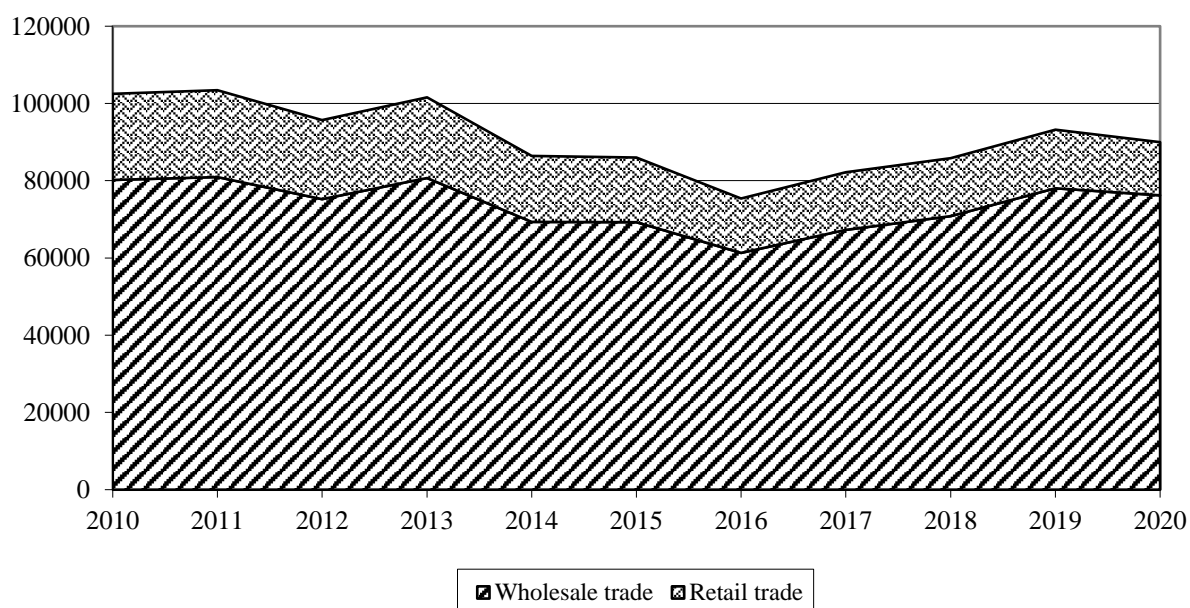


Figure 1. Dynamics of the number of operating trade enterprises

Sources: formed on the basis of [1]

The dynamics of the number of trading enterprises should be considered taking into account the fact that the main subjects in this field of activity are natural persons-entrepreneurs. For example, in 2020, wholesale trade was carried out by a total of 173,906 subjects, of which 97,653 were natural persons-entrepreneurs, whose share was 56,2%. Retail trade, with a total number of subjects of 593 264, was carried out by 579 547 individual entrepreneurs, or 97,7%. Taking into account the above, it is appropriate to note in general the presence of a downward wave within 2013-2016 with further growth until 2019 and another decline in 2020. The above indicates that the beginning of the military aggression of the Russian Federation in 2014 did not have a significant impact on the activity of trade enterprises, and COVID-19 caused a certain imbalance, which is clearly difficult to characterize due to different priorities in satisfying the needs of consumers with goods, the sale of which is the subject of the activity of trade enterprises. enterprises. The demand for food products is characterized by relative stability, when the need to purchase durable goods (furniture, electrical appliances, clothing, etc.) may not be satisfied temporarily at the initiative of the consumer himself.

The change in the number of trade enterprises creates the necessary basis for considering the dynamics of the number of employed workers, which is an important indicator for characterizing the level of intellectual and personnel security (Fig. 2).

We examined changes in the number of employed workers in two areas. The first is based on the facts that, with a decrease in the number of enterprises in wholesale trade in 2020 compared to 2010 by 4,94%, the number of employed workers decreased by 17,83%. In relation to retail trade, a different situation occurred, i.e., a decrease in the number of enterprises by 38,31% was accompanied by a decrease in the number of employees by 4,58%. Another plane indicates that the average number of employees per enterprise in wholesale trade decreased from 8.08 in 2010 to 6,99 people in 2021, when growth is recorded in relation to retail trade, respectively from 22,88 to 35,39 persons.

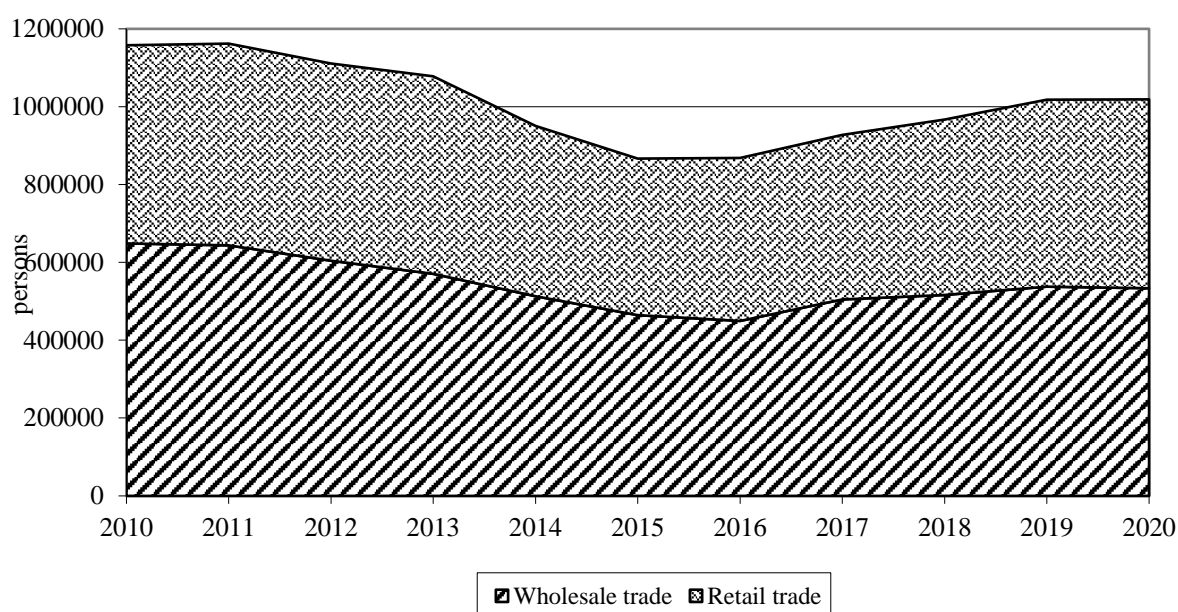


Figure 2. Dynamics of the number of employed workers at trade enterprises

Sources: formed on the basis of [1]

Summarizing, it is appropriate to emphasize that the dynamics of key indicators convincingly proves the need to focus attention on the issue of ensuring the intellectual and personnel security of trade enterprises, since there are industry specifics, the inherent performance of an important role to meet the needs of each person, in particular in food products, and there are signs of increasing threats.

It must be admitted that today, in general, among Ukrainian scientists, the term «personnel security» is more common. Intellectual and human resources are mostly considered in relation to the problems of ensuring the economic security of high-tech industrial production and information and communication technologies. We believe that this is a wrong position, in particular in relation to trade enterprises, the activities of which have been significantly changed within the last few decades due to the increasing share of the digital economy, where the development of the service sector is connected with the need for the constant development of the intellectual abilities of the staff for the ownership and active use of digital technologies. It is a proven fact not only that the share of goods sold through digital platforms is growing, but also that most trade enterprises, in order to maintain a competitive position, prefer a combination of online and offline sales. Therefore, the methodological principles of ensuring intellectual and personnel security are also relevant for trade enterprises.

We have singled out three scientific approaches to the interpretation of the concept of «intellectual-personnel security», which differ in basic principles in the direction of security activities. The first approach, which can still be defined as «transitional», involves expanding the tasks of security subjects in relation to personnel security issues to the sphere of formation and development of the intellectual potential of the enterprise. The above is quite clearly observed in the position of T. Ruda, who justifies the need for structuring and combining personnel and intellectual components, the first of which «...includes all aspects related to work with personnel, increasing effective, sustainable work, planning and personnel management, and the second – is related to all aspects that determine the quality of the company's personnel in modern conditions of a sharp increase in creative and innovative qualities» [2, p. 32]. Positively assessing the selection and delineation of the essence of the intellectual component, we believe that the author did not sufficiently emphasize the security specifics, that is, the attention was not focused on the issues of definition and counteraction/adaptation to the presence and influence of internal and external risks and threats.

Within the framework of the second approach, scientists prove the need to protect employees as the most important resource, the presence and level of efficiency of which ensures the achievement and maintenance of a competitive position. I. Moiseyenko and O. Marchenko take the position that intellectual and personnel security «...reflects the provision of the enterprise with management and industrial and production personnel, the level of turnover of personnel at the enterprise, the adequacy of their educational and qualification level, protection against seduction of employees by competitors» [3, p. 34]. The main aspects of this approach are outlined more concisely by G. Nazarova, who defines the essence of this component of the enterprise's economic security as «... a set of measures aimed at

preventing illegal actions against the enterprise's personnel» [4, p. 232]. Proponents of this approach position personnel as an important resource, while omitting the fact that every employee is a source of threats through their intentional or unintentional actions or inactions. Accordingly, focusing exclusively on the protection of employees limits the range of tasks, and therefore reduces the effectiveness of the actions of security agents.

The third approach involves focusing the attention of security subjects both on the protection of workers and on countering the threats that they may be a source of. These ideas are quite fully reflected in the publication of Sh. Lopnova, who defines intellectual and personnel security as «... the most important component of the economic security of the enterprise, which aims to identify, neutralize, prevent, avert and prevent threats, dangers and risks that are aimed at personnel and his intellectual potential, and those that come directly from him, which should be manifested in the labor resources management system and in the personnel policy of the enterprise» [5, p. 15]. In general, agreeing with the need for a dual positioning of the employee in the system of security activity guidelines, we believe that, in addition to protection and countering threats, interaction with the aim of achieving agreed interests is relevant. Such interaction lies in the plane not only of obtaining an acceptable level of material remuneration, but also of developing the intellectual abilities of employees, which enable them to perform tasks at a qualitatively higher level.

Summarizing, it can be stated that each of the selected approaches is interesting and, in general, they form a holistic view of the principles of ensuring intellectual and personnel security. Our position is to consider the formation of favorable conditions for the effective use of personnel and the development of the intellectual potential of the enterprise, while simultaneously preventing the occurrence of threats, the source of which is the actions or inaction of employees.

We consider the organizational and legal aspects in the context of a critical review of the sectoral structure of tasks of security entities. According to the analytical data presented in the article by G. Koptev, «... the main reasons for losses of trading enterprises are: internal theft – 33,3%, external theft – 32,9%, administrative errors – 26,1%, supplier fraud – 7,6%» [6, p. 4]. If the thefts committed by buyers are in the field of security, that is, they are in the area of responsibility of the security forces, then all other reasons relate to the process of ensuring intellectual and personnel security. Reducing risks and preventing the emergence and materiality of the impact of threats related to personnel was and remains an important sector in the structure of tasks of this component of economic security of the enterprise, but the toolkit needs changes, in particular in terms of more active use of the latest technologies for obtaining and processing data. Another «traditional» sector remains work with personnel, which involves the search, selection and verification of applicants for jobs, training, distribution, adaptation, stimulation for self-improvement and acquisition of new knowledge, and dismissal in order to maintain the professional and qualification level of employees, which allows them to fulfill the tasks set them tasks.

Employee motivation has been the focus of security actors, but in modern conditions it is transformed into a sector of «concerted achievement of interests» that includes owners, management and employees. The contradictions that arise between these groups are the basis for the emergence of threats, the implementation of which is not limited to certain conflict situations, but is realized in the form of losses and damages in relation to other functional components of the economic security of a trading enterprise.

High rates of technological progress create a basis for the formation of such a sector as «intellectualization of personnel», within the limits of which tasks are set regarding the improvement of qualifications and acquisition of new knowledge by each employee. The basis for the selection of this sector is at least the fact that the use of traditional forms of product promotion is significantly lower in efficiency compared to digital ones, the use of which is not limited to digital literacy, but requires the constant development and use of the intellectual abilities of employees.

Digitization in relation to the activities of trade enterprises has probably contributed the most to the departure from the traditional understanding of the workplace to its digital counterpart. Cloud technologies, personal computers and modern means of communication enable group performance of tasks even in conditions when employees are at a considerable distance from each other. In most cases, the main advantages of such a work organization include a reduction in the cost of renting office and retail premises. Considering the fact that the share of online trade is approaching that carried out through personal physical contact between the buyer and the consumer, the savings on rent only improve the final results of the trading enterprises. In contrast to this generally accepted perception of the advantages of a digital workplace, it is necessary to recognize the presence of a number of problems associated with: technical and technological arrangement of each workplace, which in total is higher than similar actions within the same premises; the need to use technologies that make it possible to maintain communication and are sufficiently protected against the possible loss of confidential information; additional involvement of IT specialists for constant maintenance of the entire system. According to the report «The Right Technologies Unlock the Potential of the Digital Workplace» [8], the unlimited time frame for completing tasks and reducing the loss of commuting to the workplace in general create conditions for increasing labor productivity, but the issue of ensuring safety is significantly exacerbated.

Bypassing the acute issues of technical and technological and information security, we consider it expedient to pay attention only to the legal aspects of the use of a digital workplace, which is connected with the problem of creating a system for monitoring the actions or inactions of an employee. Lowering the level of control due to the impossibility of personally observing the actions of employees pushes the business to use special software that requires systematic reporting and responding to the employer's requests without any time limits. Today, there are no provisions in the labor legislation regarding the legal regulation of such a situation, because the process of using a digital workplace has not yet been defined at the legislative level. In addition, increased control on the part of business provokes resistance among

employees, which in a situation with a shortage of qualified employees can provoke the emergence of new threats to the intellectual and personnel security of trade enterprises.

The carried out structuring of tasks goes beyond the traditional understanding of personnel security and is a reason to assert that intellectual and personnel security should include not only the recognition and counteraction of key internal and external threats, but also the creation of favorable conditions for the development of the intellectual abilities of each employee for further use in achieving corporate goals. interests, which is determined by modern trends in the activities of trade enterprises due to the growth of the digital economy.

Taking into account the focus of actions of security entities on threats related to employees, we consider it necessary to form a list of key internal and external threats to the intellectual and personnel security of trade enterprises. Internal threats require primary attention, because in relation to them, security entities can mostly carry out measures to identify and eliminate them. Based on a survey of mid-level managers of 50 trade enterprises in the Lviv region, we determined the following list of such threats:

- inconsistency of personal interests of the employee with corporate goals;
- insufficient qualification level of the employee and lack of dynamics regarding his improvement;
- low motivation for productive work and self-improvement;
- personnel turnover, which is accompanied by the loss of intellectual potential;
- inefficient system of search, selection, adaptation, training, career promotion and dismissal;
- actions or inaction of the employee (fraud, use of official position, disclosure of confidential information, incompetence), resulting in losses for the enterprise.

In scientific circles, there is a widespread opinion about the definition of the widest possible range of external threats to intellectual and personnel security. For example, L. Kalinichenko, O. Shumalo, and Ya. Kulimyakiv refer to such threats as «...a decrease in the purchasing power of the population; unstable political situation in the country; increasing the tax burden on taxpayers; inflationary processes, exchange rate changes; raising the minimum wage and deductions for social activities; increasing competition on the market; better conditions for motivating staff at competitors, which promotes the transfer of the best specialists; external pressure on employees and their falling into various dependencies» [7, p. 139]. We consider that it is possible to agree with only certain points of such a position, because a significant part of such threats rather affect the economic security of the enterprise in general and is indirectly related to employees as an object of security. Our position is to highlight the following external threats:

- better working conditions at competitors;
- actions of competitors to attract qualified employees;
- labor migration;
- inflationary processes in the national economy.

If the internal threats are related to the specifics of the activity of a certain trading company, the external ones are mostly of a general nature, and therefore some of them require careful consideration.

First of all, let's focus on the level of wages, but not within the limits of enterprises engaged in trade activities, but in a broader perspective (Fig. 3).

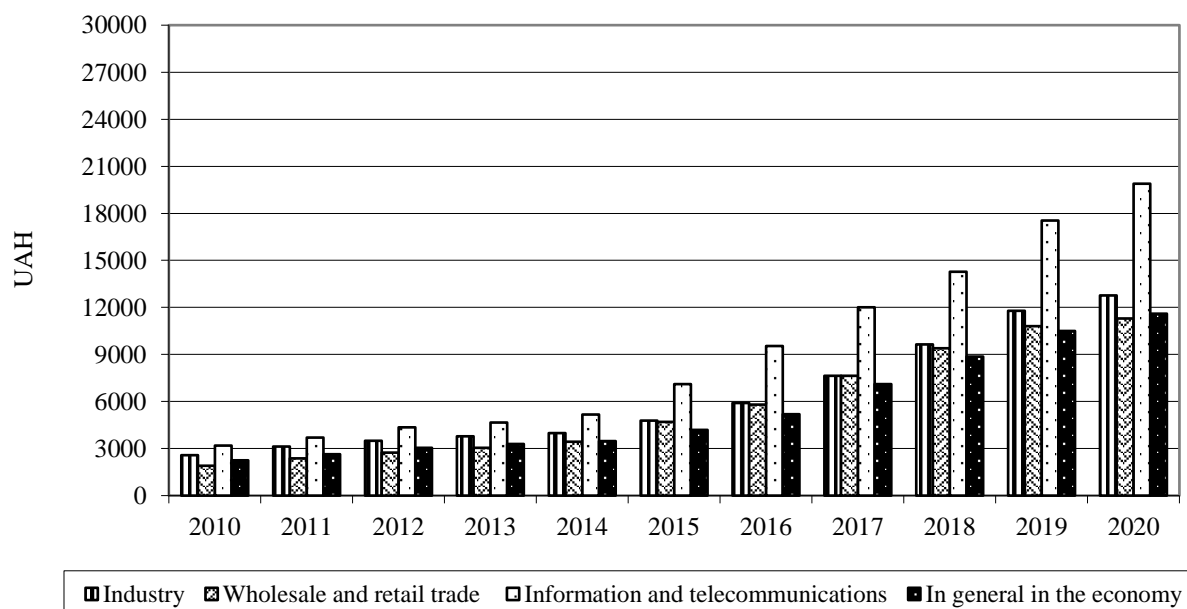


Figure 3. Dynamics of the average monthly salary

Sources: formed on the basis of [1]

From our point of view, the determining factor is not only the dynamics of wages for a certain type of economic activity, but a comparison with the situation in general in the national economy and in relation to its individual sectors. The key thing is not only that the average salary in trade in 2020 was UAH 11 286, while in industry it was UAH 12 759. and in the field of information and telecommunications - UAH 19 888, but it was lower than the average level in the economy. These data actually explain the high turnover of personnel in trade, which directly negatively affects the level of intellectual and personnel security of the respective enterprises. Another external threat is related to the critically high level of labor migration. Today, Ukraine has the status of a donor country, whose labor force, being outside the country, has the opportunity to more effectively use their abilities to meet their needs and financially support other family members. According to the results of analytical data, our country ranks eighth in the world ranking of donor countries [9], and the number of labor migrants ranges from 5 to 5,5 million people. There is no doubt that labor migration is characterized by a number of positive aspects, which are associated with a decrease in unemployment and constant inflows of funds, the amount of which significantly exceeds the volume of foreign investments. At the same time, from the point of view of ensuring intellectual and personnel security, a significant number of labor migrants with a high rate of increase is a threat in the conditions of the demographic crisis and the decrease in the number of the employed population (in 2020 – 15 915,3 thousand people against 19 261,4 thousand people in

2012). The difficulty of finding applicants for jobs is increasing, and the lower level of remuneration does not provide a sufficient level of motivation for the thorough execution of assigned tasks and provokes the realization of threats that are associated with abuse.

Discussion. The nature of the identified internal and external threats, the ranking of which in terms of priority will be different in the conditions of each trading enterprise, determines the nature of security activities. In addition, in our opinion, the attention of security subjects in general should be focused in the following several areas:

- careful selection of personnel, which should include the verification of information regarding the «history of labor activity» with the establishment of possible facts of applicants' belonging to risk groups;
- monitoring of the working environment to identify and prevent internal conflicts;
- creation of a favorable atmosphere for self-improvement, initiative, use of a creative approach, search for previously unused reserves by employees with appropriate material and moral reward for them;
- strengthening of labor discipline and prevention of fraud;
- creation of conditions for the formation and use of intellectual potential due to the development of intellectual abilities of employees
- formation of a motivational field for maintaining an acceptable level of turnover and observing the principle of fair remuneration for quality work with positive dynamics;
- work on the study and application of best practices for performing tasks that have been formed within the enterprise and can be borrowed from competitors.

We consider it appropriate to emphasize that our position is formed by observing the following two basic points: a clear demarcation of tasks within the functional components of the enterprise's economic security and focusing attention on threats and additional opportunities related to personnel. The formed list of directions is not optimal, but within its limits there are guidelines for improving the interaction between the enterprise and personnel based on the development of the employee's intellectual abilities, which contributes to the strengthening of the competitive position of the trading enterprise in the conditions of the growth of the share of the digital economy and the multiplication of the competitive qualities of the employee in the labor market.

Conclusions. The financial and economic activity of trade enterprises is characterized by a number of industry differences, one of which is the dominant role of personnel. Employees make it possible to achieve the set goals, but at the same time they are the main source of threats to the economic security of the enterprise. Technological progress, which promotes an increase in the share of the digital economy, which is most actively promoted in the service sector, creates new challenges for the intellectual and personnel security of trade enterprises. Along with the threats associated with high staff turnover and criminal actions to satisfy one's own interests to the detriment of corporate ones, there are new ones associated with

the insufficient level of awareness of employees with digital technologies and the difficulty of monitoring the results of their actions in the conditions of using a digital workplace places. The intellectual abilities of each employee play an increasingly decisive role due to the transfer of the process of selling goods to the virtual space, when physical contact is replaced by the need for effective use of digital tools, and access to the consumer is not determined by time or geographical limitations. Globalization processes cause increased competition for all types of goods and cannot be stopped by any national borders. The above requires consideration of intellectual and personnel security not only as such, which is primarily oriented not only to protection against the influence of internal and external threats caused by or related to employees, but in relation to creating conditions for the development and use of intellectual abilities of personnel in order to preserve and improve competitive positions of enterprises in conditions of high rates of digitization of trade. It is advisable to focus further research on the identification of key threats to the intellectual and personnel security of Ukrainian trade enterprises.

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