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# CONTENTS

## CHAPTER 1

### **MODERN TRENDS IN PUBLIC ADMINISTRATION** 4

**Problems of public-private partnership implementation in Ukraine:  
position of public administration science and international experience**

*Marta Karpa, Liudmyla Akimova, Oleksandr Akimov* 4

**Public administration of the provision of social services in united territorial  
societies of Ukraine: organizational aspects**

*Ksenia Sukhova, Marta Karpa* 13

## CHAPTER 2

### **LEGAL RELATIONS: FROM THEORY TO PRACTICE** 20

**Administrative arrest in the administrative liability system of Ukraine**

*Ivan Piskun* 20

**Collective agreement as a means of ensuring the stability of the enterprise  
in martial law**

*Vitalii Oliukha, Dmytro Melnychuk, Vira Shepeliuk* 27

## CHAPTER 3

### **THEORETICAL AND PRACTICAL ASPECTS OF MODERN PSYCHOLOGY** 37

**Peculiarities of the manifestation of depression in narcissistic individuals**

*Halyna Katolyk, Zinaida Zhyvko, Halyna Odyntsova* 37

**Psychological factors in the formation of professionalism of principals of  
general secondary education institutions**

*Iryna Synhaivska, Anatolii Shuldyk, Halyna Shuldyk* 49

**Psychological support for the development of rehabilitation potential of  
power structures specialists**

*Oleksiy Sheviakov, Victoria Kornienko, Iryna Burlakova, Yanina Slavska* 58

## CHAPTER 1

### MODERN TRENDS IN PUBLIC ADMINISTRATION

#### PROBLEMS OF PUBLIC-PRIVATE PARTNERSHIP IMPLEMENTATION IN UKRAINE: POSITION OF PUBLIC ADMINISTRATION SCIENCE AND INTERNATIONAL EXPERIENCE

**Marta Karpa<sup>1</sup>, Liudmyla Akimova<sup>2</sup>, Oleksandr Akimov<sup>3</sup>**

<sup>1</sup>Doctor of Science in Public Administration, Associate Professor, Professor of the Department of Public Administration and Administration, Hryhorii Skovoroda University in Pereiaslav, Pereiaslav, Ukraine, e-mail: marta.karpa@ukr.net, ORCID: <https://orcid.org/0000-0001-8141-4894>

<sup>2</sup>Doctor of Science in Public Administration, Professor, Honored Worker of Education of Ukraine, Professor of the Department of Labor Resources and Entrepreneurship, National University of Water and Environmental Engineering, Rivne, Ukraine, e-mail: l\_akimova@ukr.net, ORCID: <https://orcid.org/0000-0002-2747-2775>

<sup>3</sup>Doctor of Science in Public Administration, Associate professor, Honored Economist of Ukraine, Professor of the Department of Healthcare Management and Public Administration, Shupyk National Healthcare University of Ukraine, Kyiv, Ukraine, e-mail: 1970aaa@ukr.net, ORCID: <https://orcid.org/0000-0002-9557-2276>

**Abstract.** *The purpose of this work is to identify the main features and opportunities for using cooperation between the private sector and the public, in particular in the context of the functioning of public-private partnerships. The article uses a generalization method to identify positive international experience for Ukraine, to form a list of problematic issues in the implementation of public-private partnership. With the help of the analysis method, gaps in the regulatory and legal field regarding the implementation of public-private partnership agreements have been identified. The comparison method was used to identify the possibilities of introducing the experience of other states into the domestic practice of public administration. The functional and structural methodology was used to identify links between public administration functions and the involvement of the private sector in resolving public issues. The article reveals a scientific problem concerning the degree of development and the possibility of involving methodological, theoretical, organizational, legal, structural and functional and other foundations of the private sector in public administration and related problems. Public-private partnership acts as one of the mechanisms for the distribution of functions of public administration, requiring the study and development of effective methodological, organizational, legal, institutional frameworks for its development.*

**Keywords:** *public-private partnership, public administration, public administration functions, authorities.*

**JEL Classification:** H10, H77, K30, M16, M38

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**Introduction.** An analysis of the world experience of public-private partnership as one of the mechanisms for attracting investment indicates the positive dynamics of its use in various spheres of the national economy. The domestic practice of implementing public-private partnerships is currently at the stage of formation, both at the legislative level and at the organizational and functional level. Attempts are being made to identify and remove obstacles to the development of public-private partnerships, increase and guarantee for private partners, improve the mechanisms for the functioning of public-private partnership processes, and resolve problematic issues of regulatory support. The largest number of public-private partnership projects were

recorded in the field of waste treatment, collection, purification and distribution of water, construction and / or operation of infrastructure facilities.

**Literature Review.** The issues of the formation and functioning of the public administration are disclosed in the works of modern researchers of domestic science - V. Averyanov, E. Afonin, S. Virovoy, I. Gritsak, M. Karpa, V. Malinovsky, A. Obolensky, G. Sitnik, etc. [1-3]; foreign science - W. Parsons, G. Kolbech, A. Smith, J. Mill, W. Dunn, L. Pal, P. Brown, L. Gann and others. Institutional relations between the public and private sectors were studied by T. Veblen, J. Commons, R. Coase, D. North, J. Hodgson and others. Prospects for public-private partnerships in the implementation of infrastructure projects and the provision of public services are disclosed in the works of I. V. Zapatrina [4].

**Aims.** The object of this research is the functions of public administration. The subject of scientific research is public-private partnership as one of the mechanisms for the distribution of public administration functions. The purpose of this work is to identify the main features and opportunities for using cooperation between the private sector and the public, in particular in the context of the functioning of public-private partnerships. The delimitation of public functions as a component of public administration between the participants in management actions will contribute to the efficient allocation of resources.

**Methods.** The article uses a generalization method to identify positive international experience for Ukraine, to form a list of problematic issues in the implementation of public-private partnership. With the help of the analysis method, gaps in the regulatory and legal field regarding the implementation of public-private partnership agreements have been identified. The comparison method was used to identify the possibilities of introducing the experience of other states into the domestic practice of public administration. The functional and structural methodology was used to identify links between public administration functions and the involvement of the private sector in resolving public issues.

**Results.** Before the definition of the concept of "public-private partnership" in international practice, there are many approaches and definitions. As defined by the International Finance Corporation, a public-private partnership is a relationship through which the private sector provides the public with infrastructure assets and infrastructure services traditionally provided by the state; as defined by the Asian Development Bank: a set of possible relationships between public and private actors in the context of infrastructure and other services; in Puerto Rico, any agreement between a government agency and one or more persons to carry out operations, functions, services or responsibilities of a government agency, and to design, develop, finance, maintain, or operate infrastructure facilities; in South Africa, it is a contractual relationship between public sector institutions and private actors, according to which the private sector performs the functions of a public institution and uses public property in accordance with certain specifications for a long time, benefitting from it; in Japan - effective improvement of social infrastructure, guaranteeing the provision of affordable and quality services to the population by implementing measures to promote regulation of public property through the use of private funding, managerial and

technical capabilities, which provides a positive contribution to the development of the economy.

Taking into account the experience of development of different states, one of the features of the functions of the public service can be identified as the direction of activity of public institutions [21-24]. State authorities decide the functions of the country; local self-government authorities - ensure the performance of the functions of the community; enterprises, institutions, organizations - within the vested functions of the public service.

The world experience of using public-private partnership for the implementation of public functions is in different areas, in particular:

- The UK has focused public-private partnership projects on infrastructure such as schools, hospitals, prisons, defense facilities and highways;

- Canada carries out a significant number of public-private partnership projects in such areas as energy, transport, environmental protection, water resources, water supply and sanitation, recreational facilities, information technology, healthcare, education;

- Greece mainly implements public-private partnership projects in the transport industry, in particular on roads and airports;

- Ireland has identified public-private partnerships such as highways and urban transport systems;

- Australia has identified transport and urban life support systems as priority areas for public-private partnerships;

- The Netherlands uses a public-private partnership mechanism in the public housing sector and urban life support systems;

- Spain is implementing public-private partnership projects in the field of toll roads and urban life support systems;

- The United States mainly implements public-private partnership projects that combine environmental protection, life support of rural settlements [5].

The transport sector can be considered a striking example of attracting investment. The most notorious projects for the development of railway transport are distinguished: Tunnel Rail Link (Great Britain), high-speed highway HSL Zuid (Netherlands), Oresund line (Denmark - Sweden). Other large-scale projects using public-private partnerships include the Eurotunnel under the English Channel, Sydney Harbor Tunnel, Confederate bridge in Canada, national airports in Hamburg and Warsaw, Central Park in New York, separate branches of the underground in London and others. Turkey has been one of the leaders among the countries of Eastern Europe and Central Asia in the development of public-private partnerships in recent years, which has increased the country's GDP by three times, attracting \$ 115 billion in investments in 193 public-private partnership projects. The main investment sectors were: energy (76 projects), roads and road infrastructure (29 projects), ports and port infrastructure (21 projects), airports (19 projects) and healthcare (17 projects). It should be noted that the use of public-private partnership mechanisms can radically change entire industries - more than 50 airports (including 21 international ones) are currently operating in Turkey, while the share of private investment in the industry is 90%) [6].

The organizational and legal forms of cooperation within the framework of public-private partnership in world practice are quite diverse. In some countries, the forms of cooperation are reduced exclusively to concession agreements, in others they use the form of outsourcing, the creation of joint ventures [25-29]. In general, for the effective use of public-private partnership, it is advisable to take into account the interests of all participants on an equal basis, to balance the risks and responsibilities of the parties.

According to the data of the central and local executive authorities in Ukraine, as of 01.01.2021, 192 contracts were concluded under public-private partnership conditions, of which 39 contracts are being implemented (29 are concession contracts, 6 are joint activity contracts, 4 are other contracts), 153 contracts are not in progress (118 - not in progress, 35 - broken / expired) [7].

These projects are being implemented in the following areas of economic activity:

- waste treatment (116 projects, accounting for 47.7% of the concluded agreements);
- collection, purification and distribution of water (79 projects, accounting for 32.5% of the concluded agreements);
- construction and / or operation of highways, roads, railways, runways at airfields, bridges, flyovers, tunnels and subways, sea and river ports and their infrastructure (17 projects, accounting for 7% of the concluded agreements);
- production, transportation and supply of heat (7 projects, accounting for 3% of the concluded agreements);
- production, distribution and supply of electrical energy (5 projects, accounting for 2.1% of the concluded agreements);
- search, exploration of mineral deposits and their production (3 projects, accounting for 1.2% of the concluded agreements);
- real estate management (2 projects, accounting for 0.8% of the concluded transactions);
- tourism, recreation, culture and sports (1 projects, accounting for 0.4% of the concluded agreements);
- ensuring the functioning of irrigation and drainage systems (1 project, accounting for 0.4% of the concluded transactions);
- others (12 projects, accounting for 4.9% of the concluded agreements) [8].

According to the Law of Ukraine "On Public-Private Partnership", public-private partnership projects should have a higher performance than in the case of an exclusively public partner, and be concluded for a long-term period (from 5 to 50 years) [9].

Article 3 of the Law of Ukraine "On public-private partnership" defines the basic principles of public-private partnership, including: equality before the law of public and private partners; prohibition of any discrimination against the rights of public or private partners; coordination of interests of public and private partners in order to obtain mutual benefit; invariability during the entire term of the agreement concluded within the framework of the public-private partnership, the purpose and form of ownership of objects that are in state or communal ownership; fair distribution between

public and private partners of the risks associated with the execution of contracts concluded within the framework of public-private partnerships; determination of a private partner on a competitive basis, except for cases established by law [9].

In order to resolve a number of obstacles to the effective implementation of public-private partnerships, on November 24, 2015, the Verkhovna Rada of Ukraine adopted the Law "On Amending Certain Laws of Ukraine on the Elimination of Regulatory Barriers to the Development of Public-Private Partnerships and Stimulating Investments in Ukraine" [10]. The purpose of this regulation is to increase guarantees for private investors, improve the mechanisms for the functioning of public-private partnership processes, and resolve problematic issues of regulatory support. The law removes inaccuracies from the existing edition of the Law "On public-private partnership" on the rights of a private partner. Now there is a possibility of the emergence of common shared ownership of newly created or acquired objects, which has on me the incentives of partners and the legally approved guarantee of ownership of the objects [19, 20]. Prior to that, there were obligations to transfer the created objects exclusively to the ownership of the state partner.

The law establishes a number of additional guarantees for private partners, namely:

- additional types of state support within the framework of a public-private partnership: by paying the private partner other payments provided for by an agreement concluded within the framework of a public-private partnership, in particular, payments for the readiness (availability) of a public-private partnership object for operation (use) , through the acquisition by the public partner of a certain amount of goods (works, services) produced (performed, provided) by the private partner under an agreement concluded within the framework of a public-private partnership; by supplying a private partner with goods (works, services) necessary for the implementation of a public-private partnership;

- the right to apply to international arbitration and / or arbitration courts to resolve disputes;

- provisions on the stability of legislation;

- the right of a private partner to suspend the fulfillment of investment obligations if the prices (tariffs) for goods (works, services) of the private partner, subject to state regulation, are not economically justified and there is no adequate compensation [11].

Such measures do not solve all the problems in this topic. Scientists and practitioners have identified a number of risks and problematic issues in the implementation of public-private partnership projects in Ukraine, including:

- the possibility of ineffective management by the private partner of the property provided by the public partner to fulfill the terms of the contract, untimely commissioning of the subject of the contract and its non-compliance with the criteria provided for by the contract;

- uncertainty of private partners regarding the fulfillment of their financial obligations in long-term projects due to the fact that the state cannot guarantee the minimum volume of consumption of goods or services and the establishment of prices (tariffs) for produced goods or services provided by a private partner at a level that is



economically responsible reasonable costs of their manufacture or provision and provides a return on investment;

- the absence in the Budget Code of the possibility of guaranteeing compensation for damage to a private partner associated with the discrepancy between the demand for goods and services and the planned indicators, non-fulfillment by the state of obligations under contracts, compensation for the difference in tariffs, etc .;

- the lack of guarantees for the fulfillment of financial obligations under public-private partnership projects for the entire period of their implementation by the state, which is associated with the annual budget approval and adjustments to budget programs;

- the absence of tax and customs benefits for the implementation of public-private partnership projects, which reduces their attractiveness for private partners in the presence of such benefits for other forms of government incentives for investment activities;

- the possibility of changing the regulatory framework, in particular, making changes to tax and regulatory legislation, changing quality standards (increasing requirements) for goods and services provided by a private partner under the terms of the contract, which may entail a significant change in the conditions for participation of private partners in projects;

- the lack of confidence of the private partner in the possibility of protecting their interests in the justice system on an equal basis with the state, in particular, the ability to demand from the state fulfillment of obligations and compensation for losses incurred due to non-fulfillment of obligations;

- there is no guarantee that the private partner will receive permits and approvals from the executive authorities or local self-government bodies necessary to fulfill the terms of the agreement, including obtaining the right to use the land plot necessary to fulfill the terms of the agreement;

- the presence of a high level of corruption in the government, which leads to an increase in the cost of public-private partnership projects for a private partner. At the same time, it can be argued that this problem is not fundamentally insurmountable. In particular, when the first real concession agreements are launched and the government properly fulfills its obligations, it is possible to predict a gradual reduction in the cost of concession agreements to global levels [12].

**Discussion.** Institutional problems also arise. The state partner is the state, the Autonomous Republic of Crimea, territorial communities represented by the relevant state authorities, in accordance with the Law of Ukraine "On the Management of State Property Objects", manage state property objects, local authorities, the National Academy of Sciences of Ukraine, national branch academies of sciences [30-32]. A private partner is a legal entity, except for state and municipal enterprises, institutions, organizations. It is advisable to carry out a generalized determination of the parties in accordance with the functions of public administration, namely - satisfaction of public interest by providing public services; performing the functions of public authority; performance of functions and tasks of public institutions. Within the framework of

defining the functions of state-legal partnership, one can use the following approach to delineating functions according to the subject of implementation:

- functions of the civil service and their officials;
- functions of local government and its officials;
- functions of state-owned companies, institutions and organizations and their officials;
- the functions of other institutions, organizations, enterprises authorized to perform the functions of the public service and their officials.
- cooperation between public and private partners [15-18].

**Conclusions.** Generalization of analytical, statistical and other materials on the development of public-private partnerships in Ukraine made it possible to highlight the following main problematic issues of the functioning of public-private partnerships in the context of this study:

in the regulatory field:

- availability of a stable regulatory framework and selection criteria and opportunities for effective investment management;
- lack of guarantees of compensation for damage to a private partner;
- the existence of the possibility of annual adjustment of financial obligations in accordance with the approved budget and budget programs, and others;

in the organizational field:

- the possibility of making changes, including in the regulatory field, in tax and regulatory mechanisms, changing standards / requirements for goods and services;
- lack of tax and customs benefits for the implementation of public-private partnership projects;
- the implementation of the registration of contracts requires methodological and legal regulation;
- untimely commissioning of the subject of the contract;
- non-compliance of goods and services with established standards / requirements and others;

in the long term:

- lack of trust of partners (for the equal protection of their rights and interests, for the fulfillment of financial obligations, etc.);
- lack of a strategic view of investment priorities;
- lack of government guarantees regarding the minimum volume of consumption of goods and services, or others.

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## PUBLIC ADMINISTRATION OF THE PROVISION OF SOCIAL SERVICES IN UNITED TERRITORIAL SOCIETIES OF UKRAINE: ORGANIZATIONAL ASPECTS

**Ksenia Sukhova<sup>1</sup>, Marta Karpa<sup>2</sup>**

<sup>1</sup>Postgraduate student of the Department of Public Administration and administration, Donetsk State University of Management, Mariupol, Ukraine, e-mail: polinika0812@gmail.com, ORCID: <https://orcid.org/0000-0003-2168-6200>

<sup>2</sup>Doctor of Science (Public Administration), Associate Professor, Professor of the Department of Public Administration and Administration, Hryhorii Skovoroda University in Pereiaslav, Pereiaslav, Ukraine, e-mail: marta.karpa@ukr.net, ORCID: <https://orcid.org/0000-0001-8141-4894>

**Abstract.** The article analyzes the current system of providing social services in the united territorial communities. The object of this study is the functions of public administration in the field of social security. The subject of scientific research is the system of providing social services in the united territorial communities. The purpose of this work is to identify the main features and opportunities for improving the organizational aspects of the system of providing social services in the united territorial communities. The article uses the method of generalization to analyze the system of providing social services and its main ones, as well as the formation of a list of problematic issues - analysis of the current system for the provision of social services in the united territorial communities. With the help of the analysis method, gaps in the regulatory and legal field regarding the current system for the provision of social services in the united territorial communities were identified. The comparison method was used to identify opportunities for applying the experience of social service centers as public utilities. In the practice of one community, the structure of the provision of social services is given and its functional analysis is carried out. Separately, the issues of financing the system of providing social services are analyzed, its main problems are highlighted, and ways to solve them are proposed in the conclusions of the article.

**Keywords:** public administration, united territorial communities, social services.

**JEL Classification:** I00, J10, K38

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**Introduction.** In the course of decentralization, the powers to provide social services to the population are transferred from the central level to the local, that is, territorial communities. On January 1, 2020, a new version of the Law of Ukraine "On Social Services" came into force [1]. So, since the beginning of 2020, the distribution of powers of central and local authorities has changed, as well as the system of social services and its participants, the stages of identifying needs, planning, organizing and financing social services have been established.

**Literature review.** The issues of managing the system of social services are disclosed in the works of domestic researchers and scientists, such as: Yu. Azhnyuk, T. Kalita, S. Mishchenko, L. Sidelnik, I. Studenyak, I. Chuchka, Yu. Sharov, S. Yagudin, etc. d. The procedural and regulatory framework for the current system of providing social services to the united territorial communities is fixed in the legal acts of Ukraine. The systemic formation of the mechanisms of state administration and local self-government, the distribution of the competences of public authorities in this area was studied by M. Karpa [2-4].

**Aims.** The object of this study is the functions of public administration in the field of social security. The subject of scientific research is the system of providing social

services in the united territorial communities. The purpose of this work is to identify the main features and opportunities for improving the organizational aspects of the system of providing social services in the united territorial communities.

**Methods.** The article uses the method of generalization to analyze the system of providing social services and its main ones, as well as the formation of a list of problematic issues - analysis of the current system for the provision of social services in the united territorial communities. With the help of the analysis method, gaps in the regulatory and legal field regarding the current system for the provision of social services in the united territorial communities were identified. The comparison method was used to identify opportunities for applying the experience of social service centers as public utilities.

**Results.** Powers in the field of social services are transferred to communities - as close as possible to the recipients of these services. Such powers are defined by the new edition of the law as the own powers of the communities. In order to implement them, an appropriate structural subdivision must be created in society. Every society has an obligation to provide basic social services. At the same time, each social service will be provided according to the relevant social standard approved by the Ministry of Social Policy.

The system of social services should be based on the following principles: focus on meeting the needs of recipients of social services; targeting of their provision; involvement of the recipient of social services in the independent solution of their own problems ; the provision of social services, taking into account specific needs and ensuring the residence of the recipients of such services in the territorial community; creation for the subjects providing social services, equal conditions in the market of such services; the quality and efficiency of the provision of social services, transparency in the provision of such services.

Let us consider the organization of the activity of the system for the provision of social services in the united territorial communities on a specific example. In the Baturinsky city territorial society, there is a communal institution "Center for the provision of social services" of the Baturinsky city council [5].

The main organizational activities of the center:

- carrying out social and preventive work aimed at preventing persons/families belonging to vulnerable groups of the population from falling into difficult life circumstances;

- providing individuals/families with a set of social services they need, according to the list of services approved by the Ministry of Social Policy, in order to minimize or overcome such circumstances.

The Center detects such individuals/families and keeps records of them:

- assesses the needs of individuals/families in social services;
- provides social services in accordance with state standards of social services;
- provides assistance to individuals/families in solving their social problems;
- provides social support for foster families and family-type orphanages;

- provides social patronage of persons who have served a sentence in the form of restriction or imprisonment for a certain period, as well as those released from further serving such sentences on the grounds provided for by law;
- draws up a plan for the rehabilitation of a person who has suffered from human trafficking, etc.

Social work specialists carry out appropriate work with families in difficult life circumstances, draw up acts of examination of the living conditions of the family, and assess the needs of the child and family. Social workers provide social services at home at the place of residence of recipients of social assistance in accordance with the concluded agreements [18]. The department of inpatient care for temporary or permanent residence is located in the village of Mitchenko.

As for the financing of social services, it can be carried out: at the expense of budgetary funds; with the establishment of differentiated fees depending on the income of the recipient of social services; at the expense of the recipient of social services or third parties in accordance with the law.

For example, the center provides social services at the expense of budgetary funds:

a) regardless of the income of the recipient of social services: victims of human trafficking and receiving social assistance in accordance with the legislation in the field of combating human trafficking, victims of domestic violence or gender-based violence, children with disabilities, persons with group I disabilities, orphans, children deprived of parental guardianship, persons from among them under the age of 23, families of guardians, trustees, foster families - all social services; other categories of persons - social services for information, counseling, asylum, representation of interests, as well as emergency (crisis) social services;

b) to recipients of social services, except for those specified in paragraph 1 of this paragraph, whose average monthly total income is less than two subsistence minimums for the relevant category of persons - all social services.

With the establishment of differentiated fees in the manner determined by the Cabinet of Ministers of Ukraine, social services are provided to recipients of social services whose average monthly total income exceeds two living wages, but does not exceed four living wages for the corresponding category of persons.

The following social services are provided at the expense of the recipient of social services or third parties: to recipients of social services whose average monthly total income exceeds four living wages for the relevant category of persons; in excess of the volumes determined by the state standard of social services.

The average monthly total income of a recipient of social services to determine the right to receive social services at the expense of budgetary funds or with the establishment of a differentiated fee is determined for the previous six months preceding the month of applying for the provision of social services, and is calculated by dividing the average monthly total income of his family by the number of family members, which are included in it.

In communities, it is often the annual program of socio-economic development that is drawn up. However, the Guidelines for the Formation and Implementation of

Forecast and Program Documents for the Socio-Economic Development of the United Territorial Society (approved by Order of the Ministry of Regional Development No.75 dated March 30, 2016) provide for a medium-term horizon for this document. In this order, the Plan (program) for the socio-economic development of the united territorial community is defined as a document that defines the strategic goals and priorities for the development of the community for the short and medium term (3-5 years), specifies the tasks and activities within the framework of such goals and priorities, responsible executors and deadlines for the implementation of measures, amounts of funding, sources of funding and indicators (indicators) for assessing the effectiveness of the implementation of the Plan's activities [11-15]. Some communities practice drawing up programs for socio-economic development specifically for the medium term. In this case, it covers the entire range of measures of the local government for the medium term.

Thus, when drawing up the Program of socio-economic development for an annual period, there is a need for a medium-term plan. This role is played by local targeted programs. The local target program is a set of interrelated tasks and measures agreed in terms of time and resource provision with all involved performers, aimed at solving the most pressing problems of the development of the city or individual sectors of the economy or the socio-cultural sphere of the city, planning and using local budget funds for social services, the implementation of which is carried out from the city budget, the regional budget, the state budget and other attracted funds.

It is the target program for the provision of social services, or social protection of the population, that is often the central document, on the basis of which a set of measures is implemented aimed at developing the sphere of social services and includes activities to identify and assess the needs for social services, their provision, as well as monitoring the quality of social services [16]. An important advantage of this document is the substantiation of the volumes and sources of funding, which creates the prerequisites for their consideration in the development of budget documents and is a tool to ensure the feasibility of planned activities. Deputies, public activists should be directed to the joint development of a target program for the provision of social services, in which to provide resources for their purchase from private entities [6].

The construction of a system for the provision of social services to the population depends, in particular, on establishing a close connection between budget planning and program documents for the development of society, which define social priorities [7]. A key segment of budget planning that serves as a means of aligning overall budget parameters with strategic priorities is medium-term budget planning.

Important steps have been taken in Ukraine to implement it, the prerequisites are being created for the coordination of budgetary policy with the strategic priorities defined in program documents. In particular, the amendments to the Budget Code of Ukraine introduced at the beginning of 2019 provided for the introduction of a local budget forecast at the local level, i.e. medium-term budget planning document, which determines the indicators of the local budget for the medium term and is the basis for drafting the local budget [17]. For customers and providers of social services, it is



important that the financial authority that develops the forecast of the local budget and the draft local budget provide for budget allocations for the provision of social services in the amounts specified in the program documents (community development strategy, target program, socio-economic development program).

Mechanisms of public participation in the process of budget formation, such as budget hearings, public appeals, advocacy campaigns, participation in working groups, commission meetings, etc., should contribute to the solution of this problem. It is important for the local council and social activists to control that information about the expected results is transferred to the budget plans along with the appropriate budgetary funding [8]. Budgetary programs serve as such tool. Budget programs used to finance social services should be coordinated with the Community Development Strategy, the relevant targeted programs and the program for the socio-economic development of the community.

In the passport of the budget program, among the grounds for its implementation, it is advisable to indicate the documents, they are the Community Development Strategy, the relevant target programs for Planning and using local budget funds for social services and the program for the socio-economic development of the community. When developing budget programs that finance social services, it is important to ensure consistency with certain community development priorities, as well as the general parameters of budget policy, which requires distributing competencies among public servants in this area [9]. The quantitative parameters of the budget program, reflecting the indicators of the product, efficiency and quality, should be formed taking into account the expected results enshrined in the target program providing for the provision of social services. Improving the system of performance indicators of budget programs should be aimed at strengthening the focus on coverage of the volume and quality of public services and the level of satisfaction of their recipients. Therefore, it is expedient to include in the indicators of the quality of budget programs an indicator of the assessment by consumers of social services of their quality.

It is information about the needs of the population in social services that is the basis for developing measures for their provision by communal institutions and purchase from private providers. Such information is usually included in the draft program of socio-economic development, along with other activities of the local government [10]. At the same time, it is important to provide an integrated approach to the full satisfaction of people in services, including opportunity. Planning and use of local budget funds for social services access not only to social services, but also to health care, education, culture, etc. The developed plan of measures for the program of socio-economic development makes it possible to start a detailed calculation of the necessary resources and means to provide them. If you intend to purchase social services, at this stage it is advisable to calculate the cost of their purchase, taking into account the requirements of legal and regulatory requirements and the results of monitoring the social services market.

**Discussion.** On the basis of information about the need for funds, a budget request is prepared. Detailed requirements for their formation are determined by the instructions for the preparation of budget requests approved by the relevant local

financial authorities, developed on the basis of the Instructions for the preparation of budget requests approved by the Order of the Ministry of Finance of Ukraine dated 06.06.2012 No.687, calculated by local financial authorities and brought to the main managers of funds (departments of social protection of the population, etc.). However, if the estimated spending on the purchase of social services exceeds the proven spending ceiling, the fund manager has the right to justify the additional resource requirement in a separate budget request form. The calculation and adjustment of spending limits is an element of planning that is focused on ensuring a balanced budget and the integrity of budget policy. The central place in the formation of spending on social services is occupied by the process of planning the local budget, its consideration and approval. It is at this stage that the budget acquires a holistic form, the expenditure side is balanced with revenues, and all expenditures are distributed among budget programs, areas of use of funds, etc.

**Conclusions.** As a conclusion, we can indicate the main ways to solve the identified problems: the implementation of norm-setting, organizational and practical measures to create a sustainable, autonomous system for the provision of social services in the communities; professional development of specialists; effective administration of the needs of citizens in the provision of social services; monitoring the implementation and control over the implementation of measures and tasks. The following options for solving certain problems are also possible: through social contracting and compensation to providers of the cost of social services - attracting legal entities on a contractual basis, incl. non-state actors (public associations, religious and charitable organizations, business entities) to meet the needs of individuals/families in social services at the expense of budgetary funds and compensation to providers of the cost of social services. And also through the creation of a communal institution that provides services in demand in the community, the founder of which is the village council of the territorial society, to meet the needs of individuals / families in social services at the expense of budgetary funds.

**Author contributions.** The authors contributed equally.

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## CHAPTER 2

### LEGAL RELATIONS: FROM THEORY TO PRACTICE

#### ADMINISTRATIVE ARREST IN THE ADMINISTRATIVE LIABILITY SYSTEM OF UKRAINE

Ivan Piskun<sup>1</sup>

<sup>1</sup>Ph.D. (Law), Associate Professor of Legal Support, Associate Professor, National University of Defense of Ukraine, Kyiv, Ukraine, e-mail: ipiskun2016@gmail.com, ORCID: <https://orcid.org/0000-0002-2401-7988>

**Abstract.** *The purpose is to determine the nature of corrective labour and the procedure for its establishment and application, on the basis of an analysis of current Ukrainian legislation, a summary of practice in its implementation and the elaboration of theoretical provisions. In order to clarify the nature of corrective work, preference was given to general scientific methods such as historical-legal, systemic-structural and scientific generalization. The fundamental changes taking place in Ukraine towards the establishment of a social State governed by the rule of law also concern the reform of the Ukrainian legal system in general and of every branch of the law in particular. This also applies to administrative law, the concept of which has made the renewal of the legal institution of administrative responsibility one of the main directions of reform. An integral part of the reform of this institution is the reconsideration and scientific justification of the definition of administrative detention as an administrative penalty, introduced by article 24 of the Code of Administrative Offences (in the following CAO) and the procedure for its application. The transition in Ukraine from a relationship of the "State over man" type, in which the latter was given the place only of a managed object, to which authority and administrative influence from State bodies were directed to a "State for the Human Being", where the State has the primary duty "to affirm and ensure human rights and freedoms", and recognition of the State as the ultimate social value of the State (art. of the Constitution) considerably reduces the scope of the State's interference in human life through the use of various coercive measures and restrictions on his or her conduct.*

**Keywords:** administrative law, human rights, liability, administrative responsibility.

**JEL Classification:** K15, K30, K40

**Formulas:** 0; **fig.:** 1; **tabl.:** 0; **bibl.:** 17

**Introduction.** The fundamental changes taking place in Ukraine towards the establishment of a social State governed by the rule of law also concern the reform of the Ukrainian legal system in general and of every branch of the law in particular. This also applies to administrative law, the concept of which has made the renewal of the legal institution of administrative responsibility one of the main directions of reform. An integral part of the reform of this institution is the reconsideration and scientific justification of the definition of administrative detention as an administrative penalty, introduced by article 24 of the Code of Administrative Offences (in the following CAO) and the procedure for its application. The transition in Ukraine from a relationship of the "State over man" type, in which the latter was given the place only of a managed object, to which authority and administrative influence from State bodies were directed to a "State for the Human Being", where the State has the primary duty "to affirm and ensure human rights and freedoms", and recognition of the State as the ultimate social value of the State (art. of the Constitution) considerably reduces the

scope of the State's interference in human life through the use of various coercive measures and restrictions on his or her conduct.

**Literature Review.** The basic method of human-State relations in Ukraine today is persuasion, as a system of legal and non-legal measures, consisting in the application of educational measures, awareness-raising and promotional activities aimed at creating awareness among citizens of the need to comply strictly with the requirements of laws and other legal acts [1].

However, the widespread use of persuasion does not fully address the reasonable limits of its use as a means of coercion against persons who do not comply with legal regulations. This method is far from being sufficient to deal with this category of persons. That is why the State, while protecting the rights and freedoms of citizens and society as a whole, compels some of them, who are not amenable to persuasive measures, to respect the rule of law by applying various measures to them.

Traditionally, administrative coercion is regarded as a form of State-legal coercion, a system of means of psychological or physical influence on the consciousness and behaviour of people, with a view to achieving clear fulfilment of the prescribed duties, development of society within the framework of the law and the rule of law. It is possible to specify the objectives of administrative enforcement measures - to ensure public order and security, to prevent and punish offences and to punish offenders [2].

It is well known that administrative penalties in the form of the last link in the system of administrative coercive measures are a means of implementing the administrative liability that arises for the commission of administrative offences by a person, an exhaustive list is given in Article 24 of the CAO. Administrative penalties are imposed for the purpose of educating a person who has committed an administrative offence to respect the laws of Ukraine and the rules of general residence; and also help to prevent the commission of administrative misconduct as the offender himself, such other persons.

According to the existing classification by the nature of the effect on a person, administrative detention refers to personal administrative sanctions having a corrective-educational effect. This penalty is imposed as the main penalty in the application procedure [3].

The administrative penalties in Art. 24 of the CAO are set out in the appropriate order. Differentiation in the severity of penalties is a systemic factor. Their core is the increase from minor (warning) to greater (confiscation) and severe penalties, such as punitive deduction of earnings and administrative detention. Administrative arrest is thus the most important criterion for the severity of penalties.

In the Art. 32 of the current CAO does not define the concept of administrative detention. It merely notes that administrative detention is imposed and applied in exceptional cases for certain types of administrative offences for up to 15 days. Administrative detention is ordered by a district, city district or district court (or by a judge).

It should be noted that, like any other administrative detention, administrative arrest is a measure of administrative coercion. Administrative coercion is a form of

State coercion aimed at ensuring law and order and ensuring human and civil rights and freedoms. And it provides for the application of a set of administrative and legal measures to prevent offences [4].

It should be noted here that administrative arrest, as can be seen from the practice of its application and departmental administrative and legal acts of the Ministry of Internal Affairs of Ukraine, is no more than the detention of a person in conditions which prevent a citizen from moving freely and from living in a place of his choice [5]. In other words, it is a form of punishment whereby the freedom of movement and free choice of place of residence guaranteed by article 33 of the Constitution of Ukraine are temporarily restricted.

**Aims.** The purpose is to determine the nature of corrective labour and the procedure for its establishment and application, on the basis of an analysis of current Ukrainian legislation, a summary of practice in its implementation and the elaboration of theoretical provisions.

**Methods.** In order to clarify the nature of corrective work, preference was given to general scientific methods such as historical-legal, systemic-structural and scientific generalization.

**Results.** A special condition for the application of administrative arrest by the courts is that persons serving such penalties must be required to work. The Constitution prohibits the use of forced labour. However, according to the Basic Law, work or service performed by a person pursuant to a sentence or other court decision is not considered forced labour. Thus, the employment of persons held in administrative detention centres for administrative offences on the basis of court orders does not constitute forced labour [6]. The purpose of employing persons arrested by the court on the basis of its decision is to educate such persons in employment, by developing their skills, habits and needs for work, and thus to be useful to society. This enables the person under administrative arrest to demonstrate by honest work and exemplary behaviour that he is on the path of correction and prevention of further unlawful acts.

The peculiarity of the above-mentioned type of penalty is the fact that administrative arrest is applied by the court only in exceptional cases for certain types of administrative misconduct. That is, such a measure can only be determined by a court order. Prior to the adoption and entry into force of the Code of Administrative Procedure, many scientists and practitioners of administrative law believed that cases of administrative offences would be dealt with by the administrative courts and thus, administrative penalties in the form of administrative arrest will also be imposed by the administrative court.

However, the designation of an administrative court, as is known from the practice of these Western law enforcement agencies [7], is to settle disputes about the legality of individual administrative cases by public authorities. In modern democracies, the legal protection of an independent and authoritative body, the court, is of great importance for the protection of human rights in its relations with the authorities. The judicial mechanism for the protection of human rights makes it possible to eliminate the arbitrariness of the State by ensuring that the principle of its responsibility towards the individual is upheld. This mechanism is called "administrative justice". In most

European countries, administrative justice is represented by specialized administrative courts [8].

The Code of Administrative Procedure of Ukraine, which entered into force on 1 September 2005, correctly states that the competence of administrative courts does not extend to public-law disputes concerning the imposition of administrative penalties [9]. Therefore, a decision in the form of an administrative penalty is taken by a local general district, city district or inter-district court.

The removal of administrative offences from the jurisdiction of the administrative court is in fact appropriate for several reasons: first, the Administrative Court, as seen in the European system of administrative jurisdiction, does not have the right of prosecution; second, it is a human rights body whose main purpose is to protect human and civil rights and freedoms against unlawful actions by the executive and local authorities, and third, it is a body, who supervises the structures of public power and decides on the annulment of their unlawful decisions. In no case may a person be subjected to coercion by an administrative court [10]. The reaction of the administrative court to the violation of human and civil rights and freedoms is not only a right of the administrative court but also a direct duty [11].

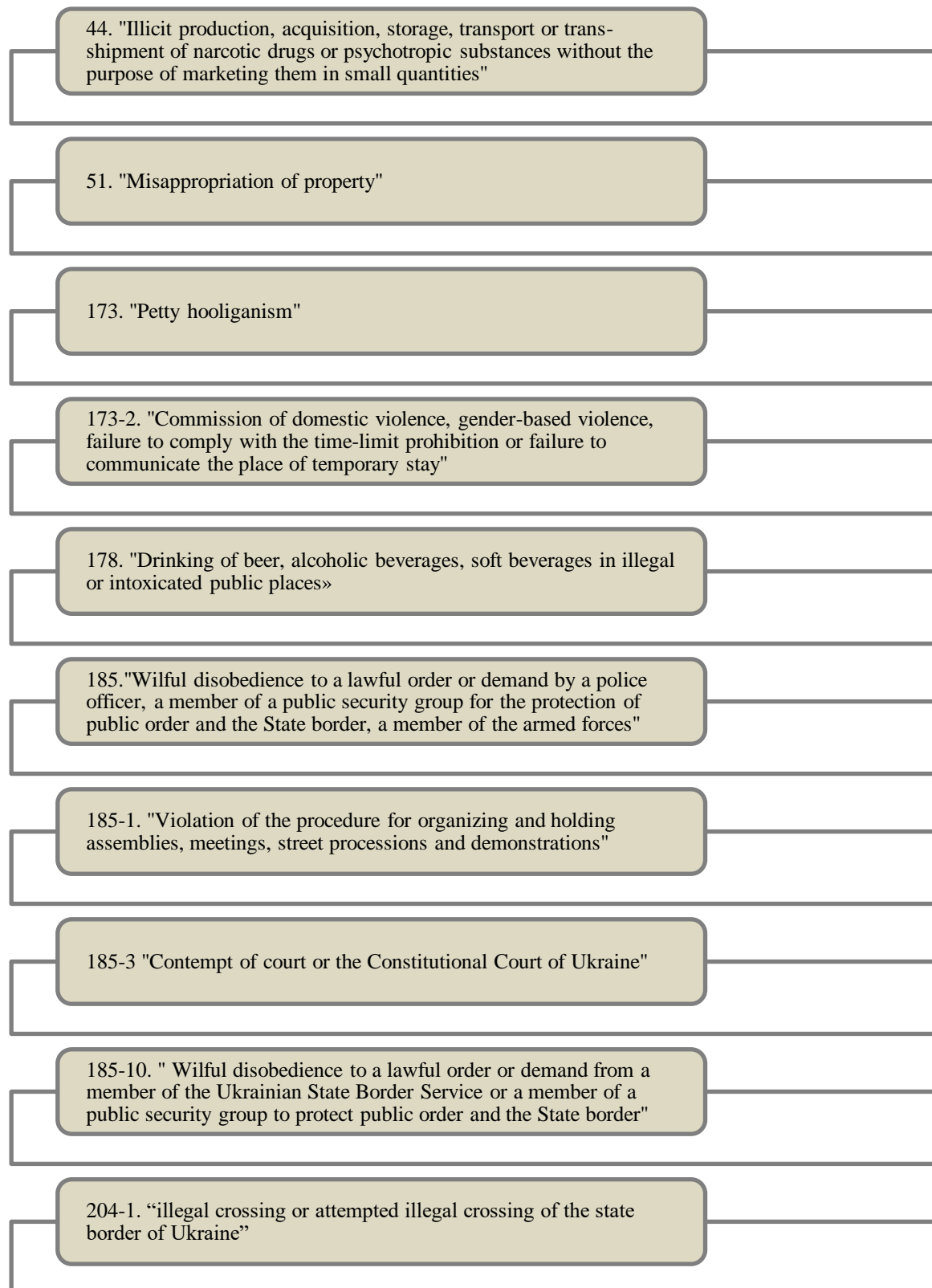
Thus, administrative arrest is imposed only on individuals by the local general court, as defined in the Law of Ukraine "On the Judicial System and the Status of Judges" [12].

The fact that administrative detention is applied only in exceptional cases and for certain types of offences should be emphasized that the CAO contains few such articles providing for administrative detention for administrative offences. These articles are on Figure 1.

A comparative analysis of the text of the CAO of Ukraine, which was in force until 1991, that is, before Ukraine became independent, and in the current period leads to the conclusion that, the application of this type of penalty as administrative detention has been considerably expanded.

To sum up, we can conclude that the definition of administrative arrest is the detention of a person who has committed an administrative offence, in solitary confinement with compulsory labour, and for a period of up to 15 days, the courts apply only in exceptional cases for certain types of administrative offences defined in the CAO.

Administrative detention differs from what is called arrest under Ukrainian and international law, is used to ensure legality and is governed by the norms of other branches of law. In addition, the law includes both the seizure of a person and the seizure of assets, property and even a ship or aircraft. The subjects of administrative or criminal proceedings for administrative arrest and arrest, as provided for in the Criminal Code, are also different. Under criminal law, persons under the age of 16 may not be arrested, and administrative law prohibits the imposition of administrative detention on persons under the age of 18.



**Figure 1. The articles providing for administrative detention for administrative offences**

*Source: developed by the author*



Such disagreements, in our view, stem from the fact that administrative arrest is a lesser penalty for other custodial sentences. In administrative law, administrative detention is the most severe form of administrative punishment. Under criminal law, detention is also not applied to pregnant women or to women with children under the age of seven. The Art. 32 of the Ukrainian CAO also prohibits the imposition of such penalties on pregnant women and women with children. However, the age of administrative detention may be considerably higher for children up to the age of 12.

The Code of Administrative Offences notes that administrative detention does not apply to category I and II disabled persons. This is correct, since the regime for the detention of such persons provides for their use in corrective labour. Persons with disabilities may not work physically and are in fact not subject to the regime for persons under administrative arrest. However, it was not clear why persons with limited legal capacity, or third-party disabled persons, were subject to administrative arrest. Under the Act "On the foundations of social protection for disabled persons in Ukraine", a disabled person is a person with a permanent impairment of bodily functions caused by illness, injury or birth defects, resulting in the restriction of vital activity and the need for social assistance and protection, and the Article 3 of this Act defines disability as a measure of loss of health by means of an expert examination by the medical and social assessment bodies of the Ministry of Health [13].

**Discussion.** The procedure for establishing disability groups is provided in the Instruction of the Ministry of Health, approved by the order 183 of the central executive authority from 7 April 2004. The basis for the determination of the third disability group is a persistent, moderate impairment due to illness, injury or birth defects, which have resulted in moderately restricted activities, including working capacity, in need of social assistance and social protection.

The criteria for determining group III disability are to limit one or more categories of activity to a moderate degree:

- limitation of self-service (degree I);
- limitation of the ability to move independently (degree I);
- limitations of ability to learn (degree I);
- limitations of ability to work (degree I);
- limitations of ability to orient (degree I);
- limitations of ability to communicate (degree I);
- limitations of ability to control one's behavior (degree I) [14].

Moderately restricted activity is the partial loss of opportunities for meaningful work (loss of occupation, significant loss of qualification or decline in work; significant difficulty in acquiring a profession or in finding a job): significant decrease (by more than 25 per cent) in the volume of work; Loss of a profession or significant loss of qualification; significant difficulty in acquiring a profession or in finding employment with persons who have never worked or have no occupation before. And even the Law of Ukraine of May 18, 2004 № 1727 - IU "On state social assistance to persons who do not have the right to a pension and the disabled", disabled people of the third group, who are lonely and according to the conclusion of the medical advisory commission need constant third-party care, are assigned social assistance [15].

It was clear that such persons could not be kept in isolation and could not be involved in physical work. It is therefore proposed that article 32 of the CAO should be supplemented, given that persons with disabilities in the third category are also not subject to administrative arrest, especially since the practice of imposing this type of punishment is precisely by not applying it to persons with disabilities in the third category.

**Conclusions.** Based on the study, it is advisable to draw the following conclusions: analyzed the main articles that provide for administrative detention for administrative offenses and provided suggestions for the application of such articles to persons with disabilities.

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## COLLECTIVE AGREEMENT AS A MEANS OF ENSURING THE STABILITY OF THE ENTERPRISE IN MARTIAL LAW

**Vitalii Oliukha<sup>1</sup>, Dmytro Melnychuk<sup>2</sup>, Vira Shepeliuk<sup>3</sup>**

<sup>1</sup>Doctor of Science (Law), Associate Professor, leading researcher of the department of economic and legal research of economic security issues, State Institution "Institute of Economic and Legal Research named after V.K. Mamutov of the National Academy of Sciences of Ukraine", Kryvyi Rih, Ukraine, e-mail: [advokat\\_vo@ukr.net](mailto:advokat_vo@ukr.net); ORCID: <https://orcid.org/0000-0002-3339-1154>

<sup>2</sup>Doctor of Science (Economics), Associate Professor, Professor of the Department of Psychology and Social Welfare, Zhytomyr Polytechnic State University, Zhytomyr, Ukraine; e-mail: [melndp@ukr.net](mailto:melndp@ukr.net); ORCID: <https://orcid.org/0000-0002-9918-0608>

<sup>3</sup>Ph.D. (Economics), Associative Professor, Associative Professor of the Department of Accounting, Taxation, Public Government and Administration, Kryvyi Rih National University, Kryvyi Rih, Ukraine, e-mail: [shepeliuk@knu.edu.ua](mailto:shepeliuk@knu.edu.ua); ORCID: <https://orcid.org/0000-0001-6270-5936>

**Abstract.** *The article is devoted to the study of the dual legal nature of the collective agreement (contract and local regulatory act), which allows it to influence the sustainable development of the enterprise and its employees. It is substantiated that the collective agreement has the function of ensuring sustainable development, which manifests itself both with the positive dynamics of enterprise development and in conditions of turbulence. Its manifestations are considered in both cases. The article is aimed at clarifying such a function of the collective agreement as ensuring the sustainable development of the enterprise and its implementation under martial law, forming proposals for improving the legal regulation of the collective agreement in emergency conditions. The methodological basis of the study is philosophical (analytical and dialectical for determining the nature of the collective agreement and outlining its function to ensure the sustainability of the enterprise, determining its action under martial law), general science (axiomatic and hypotecodeductive methods for formulating the conclusions of this study), special legal methods (technical and legal method is used to identify purely legal significance. legal acts, and the method of legal modeling is used in formulating proposals for improving the current legislation). It is proved that in conditions of martial law, the function of the collective agreement on ensuring sustainable development is manifested in the possibility of suspending the provisions of the collective agreement, which establish additional, in comparison with the current legislation and guarantee agreements, social and household benefits to employees, as well as those that are suspended for the period of martial law in the legislative order. commission appointed by order of the head of the enterprise. The legal form of suspension of certain provisions of the collective agreement can be both an additional agreement and an order of the head of the enterprise.*

**Keywords:** *collective agreement; functions of the collective agreement; sustainable development; martial law.*

**JEL Classification:** J08, J22, J33, K31

**Formulas:** 0; **fig.:** 0; **tabl.:** 0; **bibl.:** 21

**Introduction.** On February 24, 2022, a military attack by Russian troops on Ukraine began. According to The Wall Street Journal, this was the first major clash to mark a new order in international politics [1]. Martial law was imposed by the Decree of the President of Ukraine № 64/2022 on the same day. This Decree was approved by the Law of Ukraine of February 24, 2022 № 2102-IX. The highest military and political leadership of the state was faced with the task not only to ensure the protection of the country, but also to bring its economy to new realities in order to reduce the negative impact on it. One of such measures was the adoption of the law "On the organization of labor relations in martial law" № 2136-IX from 15.02. 2022 (hereinafter referred to

as the Law). Indeed, providing flexibility in the use of human resources by economic entities is the key to the sustainability of the enterprise in conditions of turbulence and emergency. On the other hand, it is necessary to ensure safe living and health conditions for workers.

Of course, the need to quickly take measures to create safe conditions, the need to prevent crises in the economy and determined the legal form - not to amend the Labor Code of Ukraine (hereinafter the Labor Code of Ukraine), and the adoption of an independent legal act. At the same time, there are numerous questions in the order of its interaction with other norms of labor law, as well as such a local act as a collective agreement. The latter is designed to ensure social protection of the rights of employees, but the law imposes certain restrictions on their rights. This in some way affects the social guarantees that were laid down in the collective agreement before the start of hostilities.

Therefore, it is necessary to scientifically comprehend the changes that have taken place in the legal regulation of labor and the collective agreement, and so on. Such an analysis will highlight the areas of correct law enforcement and further improvement of labor legislation. Given the above, the topic of the article is relevant.

**Literature review.** Domestic scientists are actively developing the theory of collective bargaining. G. Chanysheva studied the collective agreement as a legal form of social partnership and argued in favor of its conclusion. Scientific articles on the collective agreement disclose: legal techniques of creation and interpretation (M. Smoliarova, A. Bodziak), functions (O. Melnychuk) and ways to increase the effectiveness of its application (O. Khrabatyn). Through the prism of the means of achieving social peace, the collective agreement is revealed by V. Pokryshka. At the dissertation level the problems of the collective agreement were considered by: G. Rybnytskyi "Collective Agreement in a market economy", 2005 and D. Prymich "The right to collective bargaining and the conclusion of collective agreements: international standards and legislation of Ukraine", 2013. However, these scholars have not studied the application of the collective agreement in martial law.

**Aims.** The purpose of the article is to clarify the function of the collective agreement as ensuring the sustainable development of the enterprise and its implementation in martial law, the formation of proposals to improve the legal regulation of the collective agreement in emergency situations.

**Methods.** The methodological basis of the study are philosophical (analytical and dialectical to determine the nature of the collective agreement and outline its function to ensure the sustainability of the enterprise, determine its operation in martial law), general science (axiomatic and hypothetical-deductive methods for formulating conclusions of this study), special legal methods the technical and legal method was used to identify the purely legal significance of regulations, and the method of legal modeling was used in formulating proposals to improve existing legislation).

**Results.** For the purposes of our study, it is necessary to dwell on the legal essence of the collective agreement and its functions.

Several views on its essence have been formed among scholars who have studied the problem of the collective agreement. The former prefer the normative nature of the

collective agreement and consider it a legal act or document. For example, the following definition is given: "a collective agreement is an organizational and regulatory consolidation of social partnership in the enterprise and is a legal act that regulates labor, socio-economic and professional relations between employers and employees of enterprises" [2, p. 11].

L. Hruzina and V. Korotkin points out that "the collective agreement is a legal act that regulates the social-partnership relations between the social partners in the organization" [3, p.109]. According to N. Parkhomenko collective agreement is an important legal document, which formulates the rights and responsibilities of the administration of the enterprise or institution and the staff, as well as regulations on issues within the competence of the administration and representatives of the workforce [4, p. 25].

The views of the second group are that a collective agreement is a local legal act. Yes, I. Losytsia believes that a collective agreement is a local normative act that contains a set of regulations and collective bargaining obligations aimed at regulating labor, socio-economic and organizational-managerial relations at enterprises and institutions, organizations, regardless of form ownership, management and number of employees who have the right of legal personality and use hired labor [5, p. 12]. The following definition is also given: "a collective agreement is a local normative legal act that regulates labor and socio-economic relations between the owner or his authorized body and employees of enterprises, institutions, organizations, regardless of ownership and management, which use hired labor and have the rights of a legal entity [6, p.70].

Others point to the dual nature of a collective agreement, which is that it is both a contract (agreement) and a normative legal act. G. Chanysheva writes that the collective agreement has the features of an agreement and a legal act. The share of regulatory conditions in the content of the collective agreement has increased significantly in recent years. In this case, the origin of some local norms is determined by legislative provisions on the inclusion of certain provisions in the collective [7]. O. Khrabatyn emphasizes that the collective agreement has a priority role in the hierarchy of local regulations, due to its contractual nature [8, p. 152]. O. Potopakhina also points out that the collective agreement has a mixed legal nature, combines the boundaries of the agreement and the normative legal act [9].

The fourth emphasizes the contractual nature of the collective agreement. So, V. Zhernakov notes that "a collective agreement is an agreement concluded to reconcile the interests of enterprises, institutions, organizations based on any form of ownership, which are legal entities and use hired labor, between the owner, on the one hand, and the labor collective represented by a trade union or other body authorized to represent, on the other hand, which contains the obligations of the parties to regulate labor, industrial and other socio-economic interests and regulations establishing working conditions, wages, working hours and leisure time etc., as well as additional, compared to current legislation, benefits and advantages for employees" [10, p.23]. N. Zabolotna also points to its contractual nature but sees it as a legal contract [11].

In our opinion, a collective agreement is both a local legal act and an agreement (contract) in view of the following.

The collective agreement corresponds to many features of the general theoretical construction of the agreement. It is a universal legal instrument of self-regulation of social relations of considerable complexity. At the legislative level, the procedure for negotiating and concluding a collective agreement is established, the conditions on which an agreement must be reached and the form of such an agreement are determined. Having defined mutual rights and responsibilities, the parties create a legal mechanism on the basis of which they can carry out social interaction. Like any agreement, a collective agreement is the result of mutual expression of the will of the counterparties and the agreement of their wills on the basis of a compromise reached.

It should be emphasized here that although there are common features between the constructions of the agreement and the collective agreement, the latter has its own specific features that significantly distinguish it. We will not dwell on them, as they are not the subject of our study. They are clearly manifested in the functions of the collective agreement.

In the general theory of law, a normative legal act is "an official written document adopted by an authorized subject and aimed at regulating public relations by establishing rights and responsibilities for an indefinite number of persons and designed for multiple use" [12, p. 477]. And local regulations are understood as those "issued by state institutions and organizations of various forms of ownership to regulate their internal affairs and which apply to members of these organizations" [13, p. 308].

The collective agreement corresponds to such general theoretical features of local legal norms, although it has its own specifics. Among the main ones we see the following: 1) it is accepted and operates only at the enterprise; 2) cannot be adopted alone; 3) arises by signing the document by authorized representatives of the employer and the workforce; 4) signing is preceded by a collective bargaining procedure; 5) extends its effect to all members of the labor collective, as well as in some cases to members of their families, former retired employees, family members of employees who died at work; 6) regulates labor, social, property, organizational, production relations at the enterprise; 7) is designed for repeated use, but its effect is limited to a certain period.

Thus, the collective agreement has a dual nature - it is both an agreement (contract) and a local legal act. And this, in our opinion, should be the basis for determining the functions of the collective agreement.

In the scientific literature, the opinion is expressed that the functions of the collective agreement are not only in the regulation of social and labor relations, but also in mitigating social tensions, resolving labor disputes and contradictions in a civilized way [14, p. 11]. It seems that this is a rather narrow approach, these functions are basic, but not the only ones.

A more detailed list of functions of the collective agreement was proposed by O. Melnychuk. She gives the following list of them: 1) protective (collective agreement protects the rights of employees from the stronger side of the employment relationship - the employer); 2) regulatory (rules of conduct are established, as a result of which

labor guarantees for employees are increased, legal norms are specified, gaps in labor legislation are filled); 3) social partnership (after the completion of negotiations and the conclusion of a collective agreement, a compromise is reached between the parties, ensuring social peace in the enterprise and stability); 4) information (contains information on the rights and obligations of both the parties and the relevant state bodies); 5) educational (the parties cultivate diplomacy, tolerance, growing their legal awareness, legal culture, the parties acquire legal knowledge) [15].

It should be noted that the collective agreement can perform not only these functions, but also the function of ensuring sustainable development of the enterprise and its employees.

By the Decree of the President of Ukraine No. 722/2019 "On the Sustainable Development Goals of Ukraine until 2030" of September 30, 2019, the tasks of sustainable development of the economy, civil society and the state were set.

The concept of sustainable development provides that the satisfaction of material, spiritual, social, environmental, cultural needs of modern people is taking into account the interests of future generations. This is achieved by a harmonious combination of the implementation of social, economic and environmental components of society.

Sustainable development of society as a whole is achieved by sustainable development of all its elements, including every person who must have a sufficient standard of living, environmental security, access to appropriate education, cultural development and so on. Establishing in the collective agreement social guarantees, adequate wages, working and leisure time, labor protection, creating conditions for training, ensuring equal rights and opportunities for men and women, prohibition of discrimination, all this creates conditions for sustainable development of every employee. This influence is realized precisely because of the dual legal nature of the collective agreement - as an agreement and a local legal act. It is not difficult to see that for employees the possibility of a collective agreement to ensure sustainable development of employees is quite multifaceted.

At the enterprise level, the function of ensuring the sustainable development of the enterprise is not so colorful. It is an opportunity to provide in the collective agreement provisions for changes in the organization of production and labor and conditions for productive employment. At the same time, the potential of the collective agreement to ensure sustainable development of the enterprise in conditions of turbulence is difficult to implement in practice. And that's why.

Most domestic economists believe that sustainable development of the enterprise is determined by a set of possible changes in economic, environmental and social subsystems due to the influence of various factors leading to the transition of the enterprise from one relatively stable state to another [16; 17; 18; 19]. Entrepreneurial activity is risky and the responsibility in the form of adverse consequences until the bankruptcy of the enterprise is borne by its owners. The top management of the enterprise has to prevent negative developments by constantly monitoring the financial condition and timely taking anti-crisis measures. In practice, it can be very difficult to prevent bankruptcy. Anti-crisis measures can be long-lasting and require significant cost reductions. Including social guarantees and payments to employees. Of course,

this cannot be what is guaranteed at the state level. At the same time, the collective agreement may provide for additional guarantees in comparison with the current legislation and agreements, social and household benefits that could be fulfilled before the crisis.

According to Article 14 of the Law "About collective agreements and contracts" № 3356-XII of 01.07.1993, changes and additions to the collective agreement, contracts during their term may be made only by mutual consent of the parties in the manner prescribed by the collective agreement, the agreement [20]. That is, the owner must agree on changes that will worsen the situation of employees and fix them in an additional agreement to the collective agreement.

The legislator did not establish the procedure for making changes and left it to the discretion of the participants in the collective agreement. In a situation where the mechanism for making changes is not prescribed, this issue is difficult to solve. Undoubtedly, it can be noted that the risk of business should not be transferred to the workforce, but in response, it can be noted that the loss of jobs in the bankruptcy of the company will not be the best solution for employees. If the collective agreement will provide for the participation of the labor collective in the formation, distribution and use of enterprise profits, the lack of opportunity to make changes will be simply unfair.

The situation is complicated when the instability of the enterprise was the result of unpredictable, extraordinary events. A striking example is the situation with the coronavirus epidemic. In early 2020, the infectious disease COVID-19, caused by the coronavirus SARS-CoV-2, spread worldwide. A pandemic was declared by the World Health Organization on March 11, 2020. For the world economy, the crisis was manifested in a record decline in the indicator of the state of the world economy - the Dow Jones Index.

On March 25, 2020, a state of emergency was imposed in Ukraine to prevent the spread of infectious diseases. Quarantine was repeatedly imposed. As a result of the pandemic, the domestic economy received a severe blow and the circle of unprofitable enterprises grew sharply. This has led to job cuts and increased unemployment. Since the beginning of quarantine, 444,400 people have received the status of unemployed in our country.

It is obvious that in this case the state of instability of the enterprise is caused not by administrative miscalculations, and action of extraordinary circumstances. Reducing transaction costs can be one of the measures that will allow the company to overcome their negative impact. One of these is those due to additional preferences for employees established by the collective agreement. Management decisions must be made and implemented quickly. Negotiating with unions, agreeing with the workforce, and subsequent processing can take time.

How fashionable to solve this problem. The answer is proposed in Article 7 of the Law, which states that for the period of martial law, certain provisions of the collective agreement may be suspended at the initiative of the employer [21]. That is, it is not a question of amending the collective agreement or terminating it, but only of suspending its individual provisions for the period of martial law.



Supporting the legislative novel on the possibility of suspending certain provisions of the collective agreement in martial law, it is necessary to point out some of its shortcomings. The law provides for the possibility of suspending certain provisions of the collective agreement in martial law, but there are other situations when it is necessary to do so to eliminate the instability of the enterprise. Therefore, such a possibility must be introduced not only for martial law, but also for any state of emergency that may be caused by an epidemic, pandemic and / or threats of man-made, natural or other nature. To do this, it is necessary to supplement certain provisions of the Labor Code of Ukraine and the Law of Ukraine "About collective agreements and contracts".

The Law also does not answer the question of which provisions of the collective agreement can be suspended and how this should happen.

In our opinion, this approach can be applied. The labor law of Ukraine has a principle according to which the rights of employees, defined at the centralized level, should not deteriorate due to their specification at the enterprise level. It is reflected in part 3 of Art. 5 of the Law of Ukraine "About collective agreements and contracts", which prohibits the inclusion in employment contracts of conditions that worsen the position of employees compared to current legislation, collective agreements and agreements [20]. Therefore, the conditions specified in the collective agreement regarding mandatory guarantees and employee benefits contained in the labor legislation cannot be stopped.

According to Part 3 of Article 7 of the Law of Ukraine "About collective agreements and contracts", the collective agreement may provide additional compared to current legislation and agreements guarantees, social benefits, including child health and the purchase of New Year's gifts for children, etc. [20]. Therefore, the provisions of the collective agreement on such additional preferences can be suspended for the period of emergency.

For the period of martial law, the Law introduces restrictions on constitutional rights and freedoms of man and citizen under Articles 43 and 44 of the Constitution of Ukraine and stipulates that during martial law the norms of labor legislation do not apply to relations regulated by it. There was a narrowing of labor rights of workers, for example, during martial law:

- it is not necessary to report a change in significant working conditions for two months of the employee;
- the duration of weekly uninterrupted rest can be reduced to 24 hours;
- the transfer of the holiday is canceled if it falls on a weekend;
- during the period of martial law, the annual basic paid leave is granted to employees for a period of 24 calendar days.

Introduced by law and other restrictions that we do not cite, as this is not determined by the purpose of our article.

According to the labor legislation, the duration of the annual basic paid leave is not less than 24 calendar days, but in the collective agreement of the enterprise its minimum term can be increased at the expense of including additional paid leave. As a result, the duration of paid leave at a particular company under the terms of the

collective agreement can be much longer than 24 calendar days. But according to the Law, this cannot be the case during martial law. Provisions of the legislation on the transfer of public holidays, the duration of weekly uninterrupted rest, the need to warn about the change of significant working conditions for two months may be duplicated in the collective agreement. It seems that such provisions of the collective agreement should also be suspended.

Of course, before suspending certain provisions of the collective agreement for the period of validity, it is necessary to carefully study all provisions of the collective agreement with the involvement of relevant specialists - lawyers, human resources, accountants, health and safety specialists, etc. and agree with union representatives. For this purpose, by order of the director of the enterprise, an appropriate commission may be established, which shall provide a reasoned opinion based on the results of its work. The duration of its work may be short and determined in the same order. Only after that should certain provisions of the collective agreement be suspended.

**Discussion.** The current legislation does not stipulate in what form certain provisions of the collective agreement should be suspended for the period of martial law. It is seen that the legal form of suspension of certain articles of the collective agreement for the period of martial law may be either an additional agreement signed by the same representatives who signed the collective agreement or the order of the director of the enterprise. In our opinion, in the latter case there is a possibility of prompt response, and therefore it is more appropriate.

**Conclusions.** The study indicates the need for further research on such a function of the collective agreement as sustainable development and leads to the following:

1. A collective agreement has a dual nature - it is both an agreement (contract) and a local legal act. Due to this dual nature, the mutual rights and responsibilities of employees and employers are clearly defined, labor relations are regulated, and their socio-economic interests are respected. On this basis, there is a sustainable development of the enterprise and its employees.

2. The function of ensuring sustainable development of the collective agreement can perform in turbulent conditions. In this case, it is manifested only in relation to the company in the form of amendments to the collective agreement, reducing the amount of additional compared to current legislation preferences for its employees, defined by the collective agreement. These changes must be adopted in the manner prescribed by the collective agreement.

3. In martial law, the function of the collective agreement on sustainable development is manifested in the possibility of suspending the provisions of the collective agreement, which establishes additional, compared to current legislation and guarantee agreements, social benefits for employees, as well as those suspended during martial law. legislative order. Suspension of certain norms of the collective agreement may be carried out after the necessary changes have been worked out by a commission appointed by order of the head of the enterprise. It should include lawyers, human resources, accountants, health and safety professionals and trade union representatives. The legal form of suspension may be an additional agreement signed by the authorized

representatives of the labor collective and the employer, or an order of the head of the enterprise. The latter as a more operational tool is more appropriate.

4. It is necessary to make the following changes to the current legislation. In the Law «About collective agreements and contracts» to introduce Article 14-1 with the following content: «During a state of emergency or martial law, the provisions of the collective agreement also those suspended for the period of martial law may be suspended by law at the initiative of the employer. The specific list of norms of the collective agreement which is stopped is defined according to the order of the head of the enterprise».

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## CHAPTER 3

# THEORETICAL AND PRACTICAL ASPECTS OF MODERN PSYCHOLOGY

## PECULIARITIES OF THE MANIFESTATION OF DEPRESSION IN NARCISSISTIC INDIVIDUALS

**Halyna Katolyk<sup>1</sup>, Zinaida Zhyvko<sup>2</sup>, Halyna Odyntsova<sup>3</sup>**

<sup>1</sup>*Doctor of Sciences (Psychology), Associate professor, Professor of Practical Psychology Department Institute of Management, Psychology, and Security; Lviv State University of Internal Affairs, Lviv, Ukraine, e-mail: katolyk@hotmail.com, ORCID: <https://orcid.org/0000-0002-2169-0018>*

<sup>2</sup>*Doctor of Sciences (Economics), Professor, Professor of Management Department Institute of Management, Psychology, and Security; Lviv State University of Internal Affairs, Lviv, Ukraine, e-mail: professor2007@ukr.net, ORCID: <https://orcid.org/0000-0002-4045-669X>*

<sup>3</sup>*Ph.D. (Psychology), Head of the chair of Practical Psychology Department Institute of Management, Psychology, and Security; Lviv State University of Internal Affairs, Lviv, Ukraine, e-mail: horashko@gmail.com, ORCID: <https://orcid.org/0000-0002-7102-7724>*

**Abstract.** *Modern psychology regards narcissism as one of the greatest problems of personality. Although narcissistic traits are characteristic of all people, they are considered normal only when they do not acquire a leading role in personality functioning. A person with narcissistic disorder has formed an image of an ideal self; moreover, their defense mechanisms are aimed at preserving this image from criticism by others and from their own awareness of it as flawed and imperfect. In psychology today, narcissistic personality disorder is a mental illness characterized by a lack of compassion, a willingness to use others, and a heightened sense of self-importance. And in popular discourse, narcissism is a commonly used term for egoistic behavior. Narcissistic people are also characterized by excessive self-love, preoccupation with success, and emotional instability. The aim of the research is to theoretically investigate and empirically verify the relationship between depression and the level of narcissism of a personality. Also hypothesized: it is likely that there is a relationship between the level of narcissism of the personality and its propensity to a depressive state associated with the unsatisfied needs for recognition, respect and love; assume that individuals with medium and high levels of narcissism will show aggression and sensitivity, which will lead to depressive states of different levels. The methodology of this study involves the use of general scientific (induction and deduction, analysis and synthesis, generalization) and special (questionnaires; graphic, tabular) research methods to achieve this goal. Considering different approaches to the study of depression in the context of narcissism in domestic and foreign scientists, it is decided to rely on the understanding of depression by N. McWilliams, who identified the concept of depression as a state and depression as a character trait. This understanding of depression provides a broad understanding of the phenomenon. In particular, depressive manifestations include: a tendency to periodically exhibit chronic depressed mood, negative self-esteem, negative perceptions of the past and future, as well as deterioration of physical health.*

**Keywords:** *depression, depressiveness, depressive manifestations, narcissism.*

**JEL Classification:** *I10, J10*

**Formulas:** *0; fig.: 9; tabl.: 1; bibl.: 20*

**Introduction.** According to the World Health Organization, 40 million people in the European region suffer from depressive disorder. Despite the prevalence of this disorder, even today there are cases when it is not diagnosed at the right time or when

its causes are not correctly recognized. Causes of depression include biological tendencies, losses, life crises and psychological personality traits. Such features include the narcissistic nature of personality. Among other categories of psychologist's clients, narcissistic individuals constitute a significant proportion. This situation is ordered by the tendency of modern society to support and endorse narcissistic patterns of behavior. These include an unrestrained desire for success, leadership and ideality, as well as self-assertion through the acquisition of material values. People with such tendencies are "convenient" for modern capitalist society, since they are willing to put a lot of effort into maintaining the image of a strong and successful person. Thus, everyone today receives many stimuli from an early age to form and maintain narcissism [4]. Obviously, the psyche is not capable of withstanding the constant tension that such behavioral patterns require. The tendency of narcissistic personalities to set unrealistic goals and the unmet need for respect and love from others contributes to people's frustration with their environment and themselves. As a result of this tension and unmet bizarre needs, narcissistic personalities are more prone to develop depressive states against a background of emotional burnout, frustrations, and narcissistic traumatization. In this connection, there is a need for a more detailed study of the phenomenon of narcissism. That is why we chose depression as a psychological phenomenon of personality as an object of our research, and the peculiarities of depression in individuals with different levels of narcissism as a subject.

**Literature review.** Depressionism and narcissism have been studied by Z. Freud, O. Krenberg, N. McWilliams, C. Leonhardt, Gaakel, T. Miller, H. Kohut, X. Henseler, A. Golov, E. Sokolova, L. Korol, E. Kalitievskaya, D. Khlomova, A. Kerechan, A. Sklar, T. Bogdan, A. Lazarenko [1; 2; 3; 4; 5; 7; 8; 9; 11; 12; 13]. Psychodynamic studies of narcissism prove that this character trait is formed in childhood under the influence of upbringing, in particular the relationship with the mother, who due to her psychological immaturity or narcissism can be cold, cruel, judgmental to the child or use the child as a narcissist proper [13; 14; 15; 16; 17; 18; 19; 20].

**Aim.** The aim of the research is to theoretically investigate and empirically verify the relationship between depression and the level of narcissism of a personality. Also hypothesized: it is likely that there is a relationship between the level of narcissism of the personality and its propensity to a depressive state associated with the unsatisfied needs for recognition, respect and love; assume that individuals with medium and high levels of narcissism will show aggression and sensitivity, which will lead to depressive states of different levels.

**Methods.** The methodology of this study involves the use of general scientific (induction and deduction, analysis and synthesis, generalization) and special (questionnaires; graphic, tabular) research methods to achieve this goal.

**Results.** Psychological researchers have identified different types of narcissism, in particular E. Fromm spoke of individual and social or group narcissism and that each of them can manifest itself in benign and malignant forms. For his part, T. Miller described the following types of narcissistic personalities: unprincipled narcissism, love narcissism, compensatory narcissism, elitist narcissism, constructive narcissism,

destructive narcissism, deficient narcissism. Considering different approaches to the study of depression by domestic and foreign scientists, it was decided to rely on

N. McWilliams' understanding of depression, who identified the concept of depression as a condition and depression as a character trait. Such an understanding of depression provides a broad understanding of this phenomenon. In particular, depressive manifestations include a tendency to periodically exhibit chronic depressed mood, negative self-esteem, negative perceptions of the past and future, and deterioration of physical health [19].

Narcissistic individuals need praise, feel like the center of the universe, and have a constant need for fascination. Most of all, they fear rejection, loss of self-esteem, criticism, or unexpected and strong feelings. The loss of self-esteem can be traumatic for them and can even cause aggression. These characteristics of narcissistic people, as well as the lifestyle of modern society, where the focus on success, leadership and uniqueness contributes to the development of their depression.

Based on numerous clinical observations, depression in persons with narcissistic personality disorder has a coloring of defeat, failure, and is associated more with feelings of deep shame and emptiness. This condition is seen in mature individuals between the ages of 25 and 55, and instead of a richness of inner emotional life that can be empathically "listened to," is often characterized by numerous descriptions of unpleasant bodily sensations and somatic manifestations. Unpleasant bodily sensations against a background of deep anhedonia replace descriptions of emotions or experiences, thus severing the connection with the social situation and its mental reflection. Such individuals typically experience depression after a series of disappointments in the external world: either in their relationships with others (they describe others in a more superficial, devaluing manner, as imperfect, non-ideal people) or in their own abilities - career or academic achievement [14; 15].

Because the psychodynamics of narcissistic personality disorder lie in the paradox of grandiosity and the exaggeration of one's own importance and the inability to recognize the influence of others on one's life, depression means that the grandiose self has failed and there is a strong disappointment in the self, which can be framed inward. Even if disappointment in relationships is present in the emotional sounding of the depression of the narcissistic personality, they are still ascribed to themselves, refracted by feelings of insignificance - "I am not so to be loved" [15, 20].

A. Beck distinguished two kinds of depression: depression associated with deprivation and depression of defeat (failure to achieve goals). Since for narcissistic personalities defeat, "failure" is "not to be the first", the tendency to depression of defeat is obvious. But there are also views of narcissistic individuals as incapable of depression. It is most consistently defended by A. Kernberg, stressing what on the surface looks like depression is anger and resentment, laden with vengeful feelings rather than sadness over loss. M. Jesovic-Gesich and J. Wesel argue that when an object is lost the narcissistic personality is sad about the loss of a "mirror," the lack of fascination leads to dysphoria and self-hatred. A. Kernberg also believes that it is not the loss of the object, but the loss of narcissistic reinforcement that is experienced. The researcher considers that even a slightly expressed capacity for sadness and depression

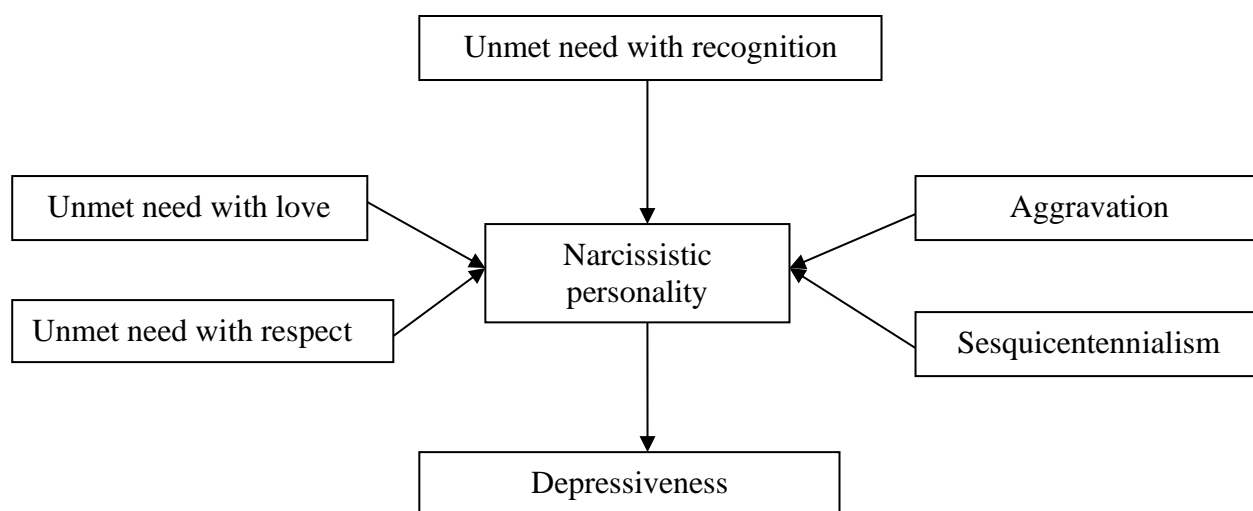
with elements of guilt is a favorable prognostic indicator of the results of treatment [16].

C. Kavalier-Adler also argues that the blocking of despondency in boundary and narcissistic personality disorder is a rejection of the affective experience of intense pre-trauma. The real or imagined loss of the mother in early childhood "triggers" mechanisms of idealization and imagination fusion with her to protect against the anguish of love and simultaneously the anguish of intense guilt over childhood hatred. The intensity of the guilt makes the memories of the lost object unbearable and where the work of grief is required, there is an affective block. Kavalier-Adler comments on O. Kernberg's assertion about the inability of narcissistic patients to be depressed as follows. While considering the interpretation of primitive aggression as the analyst's main contribution to the narcissistic patient's movement toward grief, A. Kernberg, according to Kavalier-Adler, does not focus on the creation of a supportive environment for the "containerization" of grief. The author describes the fear of crying typical of the narcissistic personality. Patients with narcissistic personality disorder consistently exclude the fear of absorbing their own pain. The unreported tears, the repressed pain for decades, create an unconscious threat of "drowning in their own tears," so the theme of drowning is often present in the dreams of narcissistic patients. Narcissistic personalities experience the fear of constant weeping during the grief affect; the tears are caused by the terror of losing the object of fantastic fusion and at the same time by the terror of being absorbed by the one with whom one wants to fuse. Cavalier-Adler emphasizes the need for interpersonal contact in order to transform the endless crying of pathological grief into "grief work. Supporting the therapist in an external dialogue allows one to move from a structure of protective fusion to a structure of internal dialogue.

According to the researcher, it is the presence of the structure of internal dialogue that provides the ability to be despondent in the absence of an external object. Initiation of an internal dialogue through an external dialogue leads to liberation from the affect of sadness [5].

On the basis of the theoretical analysis of the manifestations of depression in narcissistic individuals a theoretical model of the features of depression in narcissistic personalities was built (see fig. 1). According to this model narcissistic personality is characterized by unsatisfied needs for respect, love and recognition, as well as aggression and sensitivity, provoking in them the development of depression. According to our hypothetical model, we chose research methods that would result in either confirming or denying our scientific views on the psychological phenomenon of narcissism.





**Figure 1. Theoretical hypothetical model of depression peculiarities in narcissistic personalities**

Source: author Katolyk G.V.

*Organizational and methodological bases of research of features of depression in individuals with different levels of narcissism.* An empirical study of depression in individuals with different levels of narcissism involved 50 subjects from 19 to 30 years old, men and women with different levels of education and different occupations (students, unemployed, working, business owners). Data collection for the study was conducted using the Internet through the Google Form, such organization of the study allowed to form a randomized sample, which provides greater reliability of the study.

Taking into account the previous theoretical studies, peculiarities of depression in individuals with different levels of narcissism and taking into account the task set for the collection of empirical data the following research methods were chosen:

- Individual-typological questionnaire, L. Sobchik's methodology. The technique is aimed at diagnosing self-awareness, self-esteem, personality self-control, personality traits and character traits;

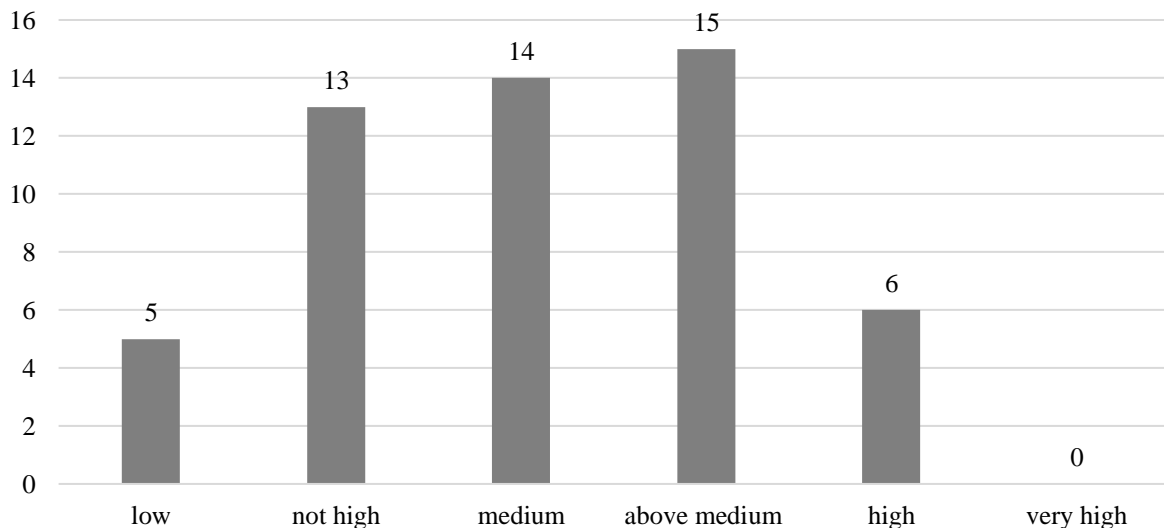
- A. Maslow motivational questionnaire (MMT-32) modified by D. Kashirsky and A. Motkov. The purpose of the technique is to study the level of importance and satisfaction of personal needs according to A. Maslow's theory of needs.

- NPI non-clinical narcissism questionnaire. This questionnaire allows diagnosing the level of narcissism as a personality trait, as well as such manifestations of narcissism as superiority, vanity, using people, uniqueness, demonstrativeness, authority, self-sufficiency.

- V. Zhmurov's method of diagnosing the level of depression. Zhmurov. The purpose of the technique is to establish the level of depression at the time of study. The peculiarity of this technique is that it allows to diagnose melancholic depression, which, according to the previous theoretical studies, narcissistic personalities are susceptible to.

- A questionnaire to collect general information about the subjects (age, gender, education, employment).

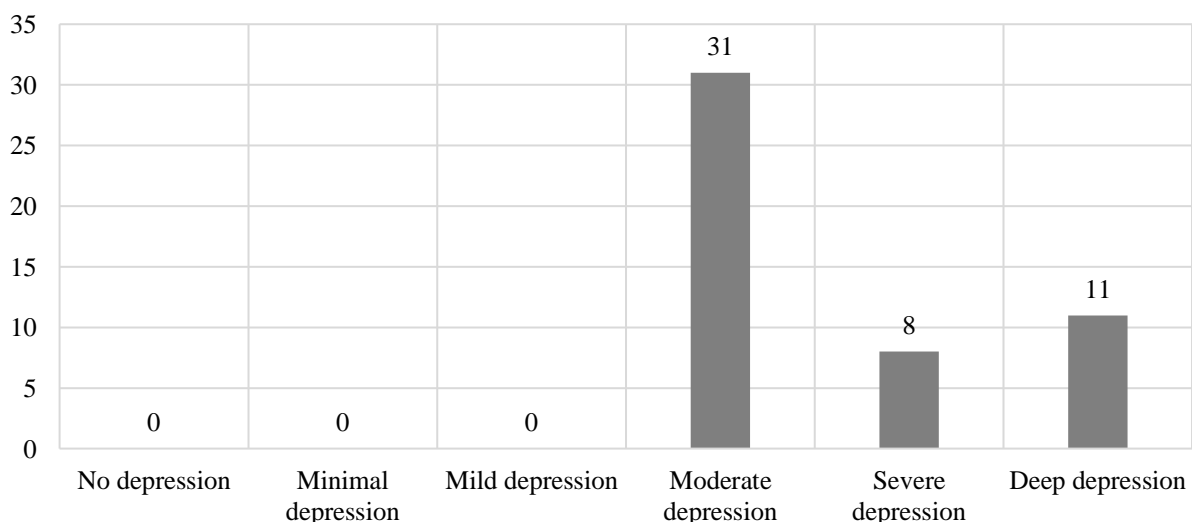
*Description of the results of the empirical study of the peculiarities of depression in individuals with different levels of narcissism.* Descriptive statistics, correlation and factor analysis methods (Microsoft Excel and SPSS) were used to process empirical data obtained as a result of the study. After calculating the results of the NPI non-clinical narcissism questionnaire, we used descriptive statistics to plot the distribution of narcissism levels in the study group (Figure 2).



**Figure 2. Distribution of the results of the NPI non-clinical narcissism questionnaire in the study group**

*Source: developed by the authors*

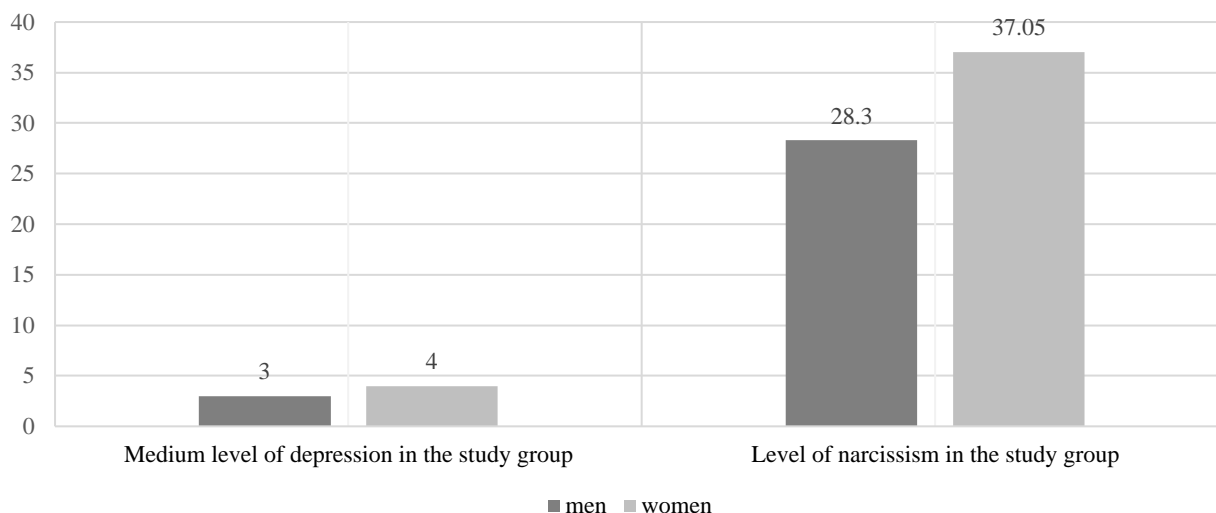
The graph shows that this group is mostly characterized by low, medium, and above-average levels of narcissism. Given that the high level of narcissism in this group predominates over the low level, we can assume that narcissism is a fairly typical trait for personalities between the ages of 19 and 30. Having counted the results of the studied by the method of diagnosing the level of depression V. Zhmurov plotted the distribution of the level of depression in the group of subjects.



**Figure 3. The results of studied by the method of diagnostics of the level of depression V. Zhmurov**

*Source: developed by the authors*

Analyzing the graph of the distribution of the results by the method of diagnosing the level of depression V. Zhmurov. (See Fig.3), we can conclude that at the time of the interview the subjects were depressed, as the majority of the subjects appeared to have a moderate level of depression, and a significant part of them showed pronounced and deep depression.



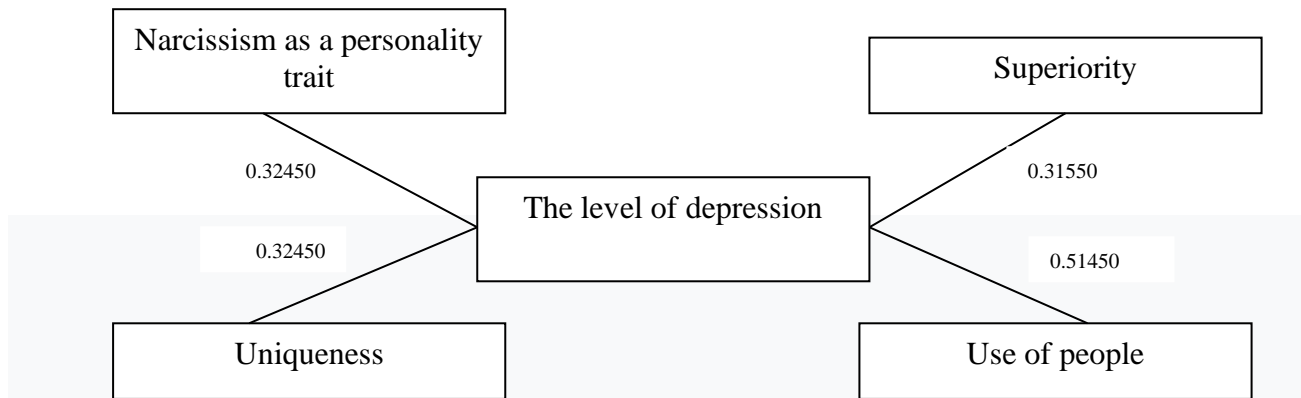
**Figure 4. Comparison of the mean values of the results of the methods for diagnosing the level of depression V. Zhmurov and the NPI non-clinical narcissism questionnaire between men and women**

*Source: developed by the authors*

Having analyzed the results of the research by the method of descriptive statistics according to the method of diagnostics of the level of depression V.. NPI non-clinical narcissism questionnaire, a graph comparing the average values of the results between men and women was plotted (see Fig. 4). According to this graph, we can assume that a higher level of narcissism and depression is inherent for men than for women at the time of the survey. In our opinion, this can be explained by the peculiarities of the boys' upbringing, as well as the tendency of men to mask their own feelings and ignore problems.

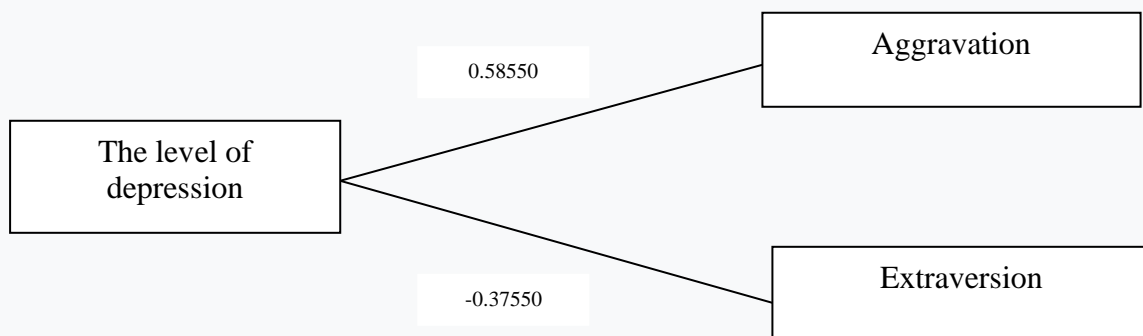
*Description of the results of the correlation analysis.* In order to establish the relationship between depression and narcissism of personality, as well as to identify other significant correlations in the results of the study, a correlation analysis was carried out. The statistically significant relationships reflected in the correlation matrix are described using correlation pleids (see Fig. 5, Fig. 6, Fig. 7).

On the basis of the correlation matrix a correlation set of the level of depression with such personality traits as superiority, uniqueness, the habit of using people and the general level of narcissism on the NPI questionnaire was constructed. Based on this correlational pleiad, it can be concluded that there is a direct relationship between the level of depression and the level of narcissistic personality. Specifically, the occurrence of depression in narcissistic individuals is influenced by traits such as superiority, uniqueness, and a tendency to use people.



**Figure 5. Pleiad of correlation between the level of depression according to V. Zhmurov's method and the scales of "arrogance", "using people", "uniqueness" and the general level of narcissism as a personality trait according to the NPI method**

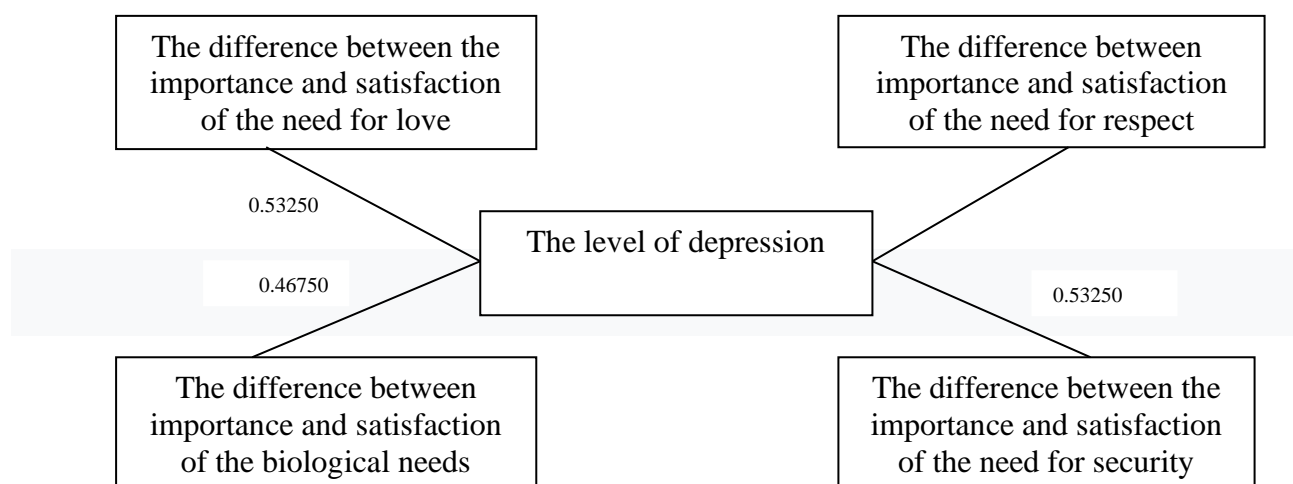
*Source: developed by the authors*



**Figure 6. Correlation Pleiad between the level of depression according to the method of V. Zhmurov and the scales of extraversion and aggression of the L. Sobchik typological questionnaire**

*Source: developed by the authors*

Analyzing the results of the correlation relation we built a correlation pleiad between the level of depression according to V. Zhmurov's method and the scales of extraversion and aggression of the L. Sobchik's typological questionnaire. This correlation set shows a direct connection between the level of depression in narcissistic individuals and aggravation, i.e. the tendency of a person to exaggerate his/her problems, and an inverse connection with extraversion. That is, narcissistic individuals who are more focused on the outside world and seek to expand their social circle is less prone to depression.



**Figure 7. Pleiad of correlations between the level of depression according to V. Zhmurov's method and the difference between the importance and satisfaction of needs for security, love, respect and biological needs according to A. Maslow's motivational questionnaire**

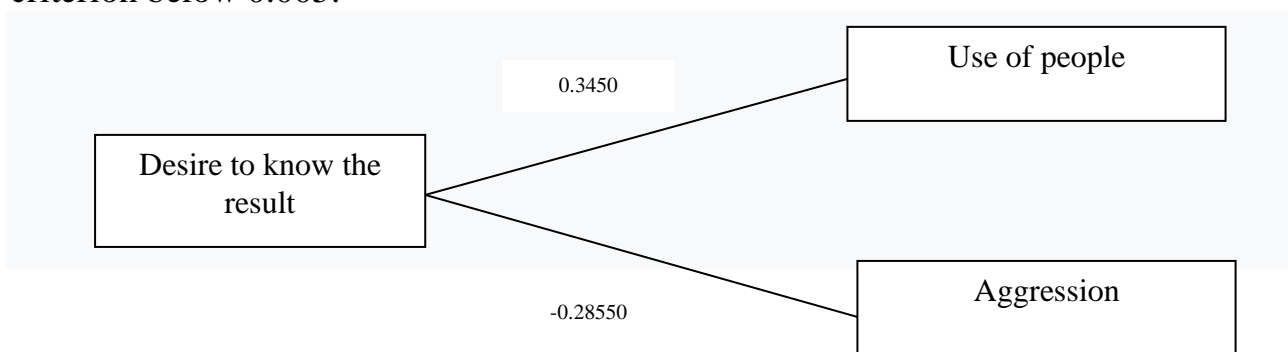
*Source: developed by the authors by A. Maslow*

Analyzing the results of the correlation relation we built a correlation relation between the level of depression according to V. Zhmurov's method and the difference between the importance and satisfaction of needs for security, love, respect and biological needs according to A. Maslow's motivational questionnaire Maslow's motivational questionnaire (Fig. 7). The Pleiades shows that the level of depression in the individuals studied is related to the unmet basic biological needs, as well as the needs for safety, respect, and love.

**Discussion.** A special feature of our study was that during the collection of empirical data, we invited those studied, if they were interested in interpreting their results, to leave an e-mail address. Twenty of the fifty subjects wanted an interpretation of the results, this trait was taken into account in the correlation analysis, which revealed the correlation relationships shown in Figure 8. This correlational pleiad indicates that studies that want to know their results tend to use people for their own purposes, and the inverse relationship with aggression may indicate that studies do not tend to be aggressive in interpersonal communication. Consequently, the narcissistic individuals in the study group were more likely to be manipulative than openly aggressive in communication.

*Description of the results of the factor analysis of the peculiarities of depression in individuals with different levels of narcissism.* On the basis of the correlation analysis performed and the establishment of a relationship between depression and narcissism, as well as the discovery of statistically significant correlations between certain studied values and the level of depression in the study group, which, as already shown, consists of quite narcissistic personalities, it was decided to conduct a factor analysis to more accurately describe the causes of depression in individuals with different levels of narcissism. In the course of the study we checked the feasibility of factor analysis with the KMR criterion and the Butlett criterion. In order

to conduct factor analysis, the KMR criterion must be greater than 0.5, and the Butlett criterion below 0.005.



**Figure 8. Pleiad of correlation relationship between the desire to know the result, the scale of the NPI questionnaire of the use of people and the scale of the L. Sobchik method of aggression**

*Source: developed by the authors*

The characteristics of these criteria: KMO = 0.694, and the criterion of Butlett = 0.000 indicate the appropriateness of factor analysis. To determine the number of factors, we focused on the Kaiser criterion, according to which the number of factors is equal to the number of components whose value is greater than 1. According to this criterion and preliminary analysis of the data, we selected 3 factors.

**Table 1. Factor loadings for the empirical data of the research in the peculiarities of depression in individuals with different levels of narcissism**

№	Factor name	Scales included in the factor	Factor pressures	% of explained variance
1	Self-admiration	The difference between importance and satisfaction of the need for respect	0,802	36,007
		The difference between the importance and satisfaction of the need for love	0,716	
		Uniqueness	0,674	
		Aggravation	0,656	
2	Magnificence	Uniqueness	0,334	14,941
		The difference between the importance and satisfaction of the need for security	0,529	
3	Narcissism	Superiority	0,800	11,319
		Uniqueness	0,412	
Total variance percentage				62,267

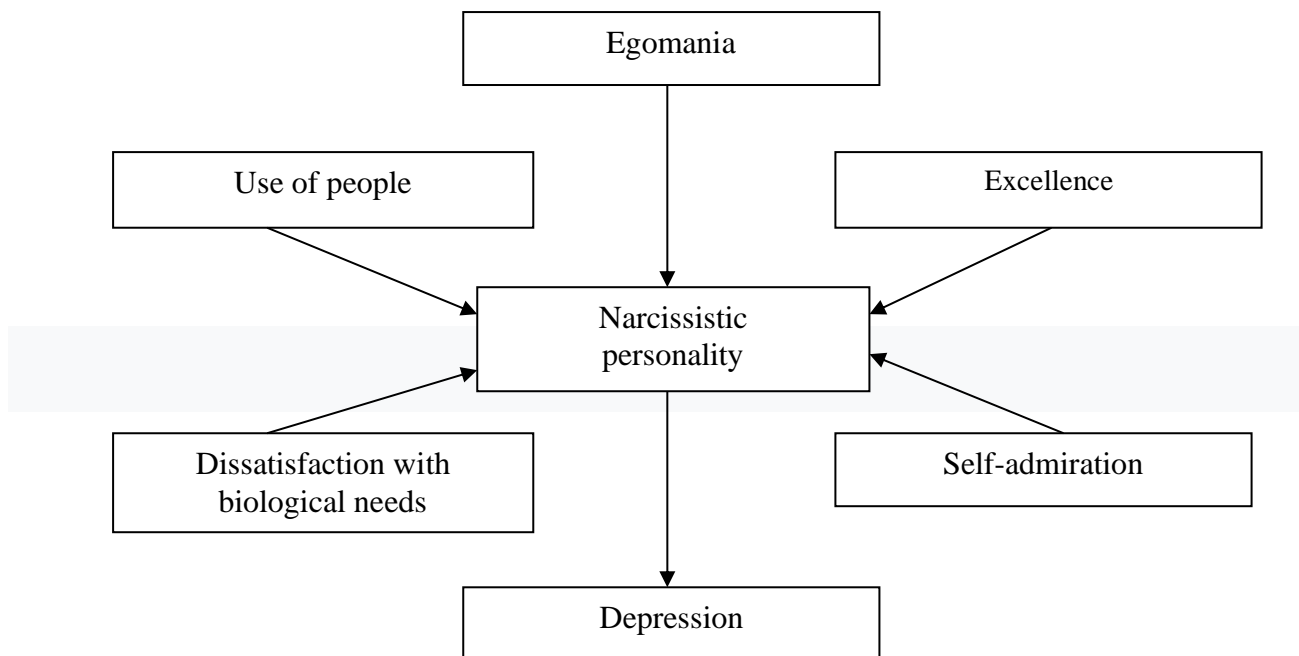
*Source: developed by the authors*

**Conclusions.** Consequently, we can conclude that three main factors influence the occurrence of depressive states in narcissistic personalities: narcissism, majesty, and narcissism.

Thus, an empirical study was conducted to identify the features of depression in individuals with different levels of narcissism. On the basis of the obtained results of

the correlation analysis, we can assert that there is a direct connection between depression and narcissism of personality. As a result of the study and interpretation of the results, it was found that the level of depression in narcissistic personalities is associated with the unsatisfied needs for love, respect, safety, as well as basic biological needs. That is, the first hypothesis was partially confirmed. In particular, it was found that there is a relationship between depression and such traits of narcissistic personalities as uniqueness, neglect, taking advantage of people, a tendency to exaggerate one's own problems (aggravation). It was also found that interviewees who were extroverted and outward-looking were less likely to be depressed regardless of their level of narcissism, as an inverse relationship was found between the level of depression and extroversion.

According to the results obtained, the theoretical-hypothetical model of the features of depression in individuals with different levels of narcissism takes on a slightly different appearance.



**Figure 9. Model of features of depression in individuals with different levels of narcissism (G.V. Katolik's model)**

*Source: developed by the authors*

Fig. 9 shows a model of features of depression in individuals with different levels of narcissism, based on the results of the study. According to this model, depression in narcissistic personalities is caused by their inherent narcissism, grandeur, narcissism, taking advantage of people and unmet biological needs.

**Author contributions.** The authors contributed equally.

**Disclosure statement.** The authors do not have any conflict of interest.

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## PSYCHOLOGICAL FACTORS IN THE FORMATION OF PROFESSIONALISM OF PRINCIPALS OF GENERAL SECONDARY EDUCATION INSTITUTIONS

**Iryna Synhaivska<sup>1</sup>, Anatolii Shuldyk<sup>2</sup>, Halyna Shuldyk<sup>3</sup>**

<sup>1</sup>Ph.D. (Psychology), Associate Professor, Director of the Academic and Scientific Institute of Psychology, "KROK" University, Kyiv, Ukraine, e-mail: irinasin222@gmail.com, ORCID: <https://orcid.org/0000-0001-6802-0081>

<sup>2</sup>Ph.D. (Psychology), Associate Professor of Psychology chair, Pavlo Tychyna Uman State Pedagogical University, Uman, Ukraine, e-mail: shuldikav@meta.ua, ORCID: <https://orcid.org/0000-0002-6223-1838>

<sup>3</sup>Ph.D. (Psychology), Associate Professor of Psychology chair, Pavlo Tychyna Uman State Pedagogical University, Uman, Ukraine, e-mail: shuldikgo@ukr.net, ORCID: <https://orcid.org/0000-0002-9478-9123>

**Abstract.** *The article deals with the structure of professionalism of principals of general secondary education institutions, which contains the cognitive component of professionalism of management activity (system of knowledge about the essence, structure of management activity of the principal); motivational and value component (principal's motivation to professional activity, positive attitude and desire to develop their professionalism in management, high level of readiness for management, interest in it, professional values, vocation to management activity,); operational and technological component (a set of skills, abilities, methods of action, techniques, technologies to ensure the development of professionalism). The psychological factors of formation of professionalism of principals of general secondary education institutions are described. The dependence of the formation of professionalism of principals on their gender, age and work experience is revealed. Male principals pay more attention to non-standard ways of solving problems, are guided in decision-making by logic rather than feelings, prefer intrinsic motivation, acutely experience periods of meaningless existence. Women principals use their intuition more often than men, they are more communicative, have deeper emotional experiences, more often smooth out conflict situations, prefer external motivation. With aging, the importance of such values as the social authority and recognition, the possibility of self-development, self-improvement, the creative nature of management increases. The instrumental value of executive discipline, responsibility, intransigence to one's own shortcomings and the shortcomings of subordinates also increases, the values of self-control and the availability of free time decrease. Principals with 11 to 15 years of experience have the greatest hope for success, and those with more than 21 years of experience have the least hope. Limitations of principals of different genders, ages and length of service in management positions, which hinder the development of their professionalism, are also described.*

**Key words:** professionalism, structure of professionalism, factors of professionalism development, general secondary education institutions, limitations in development of professionalism.

**JEL Classification:** I23, J20, J44

**Formulas:** 0; **fig.:** 0; **tabl.:** 1; **bibl.:** 12

**Introduction.** The issues of the structure of professionalism and the influence of various factors on its development are the least covered in domestic scientific research.

New requirements for the professionalism of principals of general secondary education institutions, contradictions that complicate their implementation, indicate the need to substantiate the scientific and psychological foundations of the professionalism of principals, developing its structure.

The importance of studying professionalism is that society needs principals with a high level of professionalism, but at the same time not always take into account all the factors that affect this development. The psychological factors of achieving a high

level of professional development include: 1) objective factors – psychological requirements for the profession, the external environment, the state of education in the country, region etc.; 2) subjective factors – the ability of the principal as a prerequisite for professional activity; 3) objective and subjective factors – temporary ones, which determine the unevenness of professional development depending on age, gender, length of service, professional situation.

**Literature review.** In recent decades, the problem of professionalism became the subject of detailed consideration of psychological science (O. Bondarchuk, A. Derkach, H. Yelnikova, L. Karamushka, A. Markova, I. Synhaivska, A. V. Shuldyk etc.). According to A. Markova, an independent direction was formed – the psychology of professionalism, which “reveals the conditions and patterns of human promotion to professionalism in its work, changes in human psyche in the process of ascension to professionalism” [1, p.118]. Psychology of professionalism in such an understanding describes the criteria and levels of professionalism.

Study of genesis of the concept of “professionalism” in domestic and foreign research allowed to state that it characterizes a high level of professional activity. According to the most general definition given in the interpretation dictionary of the Ukrainian language, professionalism is mastering the basics and depths of any profession [2, p. 62]. According to A. Derkach, the process of implementing acmeological reserves is carried out as personal and professional development, and its result is the achievement of professionalism [3]. O. Bondarchuk studies the peculiarities of personal development of principals of general secondary education institutions and their professional competence [4, 5]. L. Karamushka explores the psychological features of educational management in detail [6]. The research of I. Synhaivska is about the professional success of teachers – high school teachers, about personal qualities of a teacher as a prerequisite for professional success and professionalism, about the ratio of concepts and phenomena of professionalism and professional success [7, 8]. A. Shuldyk studies the effectiveness of management activities of the principals of general secondary education institutions as an important component of their professionalism. In his papers, the structure and factors of development of professionalism of principals [9, 10] are highlighted. The works of H.V. Yelnikova and others are about modeling the professional competence of principals of educational institutions [11].

During the in-depth analysis of scientific research on the problem of professionalism formation and in accordance with the Order of the Ministry of Economy of Ukraine on approval of the professional standard “Principal (Director) of the general secondary education” [12], the difference in understanding this concept, as well as the lack of a holistic understanding of its structure were determined. The influence of such factors as age, gender, and work experience in the development of professionalism is not studied in detail; there are no limitations on the development of professionalism and ways to overcome them.

**Aim.** The aim of article is to study the influence of various factors on the formation of professionalism of principals of general secondary education institutions and discover limitations that slow down its formation.

**Methods.** Based on the analysis of psychological literature, we consider it expedient to distinguish three structural and functional components in the structure of professionalism and fill them with the relevant content.

*The cognitive component of the professionalism of management activity* is a system of professional competencies that the principal should have (statutory and regulatory competence; competence of strategic management of educational institution and personnel; quality of educational activity competence, principalship competence; emotional and ethical competence; health protection competence; inclusive competence; project competence, innovative competence; ability to learn through life; information and digital competence etc.).

*The motivational and value component of the professionalism of management activity* is to induce a principal to professional activity, a positive attitude and desire to develop their professionalism in management activities. This is a high level of readiness of the principal to management activities, interest in it. This is a professional position, goals, professional-value orientations, vocation to management activity, public activity, social optimism etc.

*Operational and technological component of the professionalism of management activity* of the principal is a collection of abilities, skills, methods, techniques, technologies to ensure the development of professionalism. These are management skills to analyze, plan, predict, and monitor the activities of an educational institution.

The factors belonging to the micro level (gender, age, experience of management activity) and influencing the formation of the above structural components of professionalism of principals are investigated. The sampling of respondents amounted to 88 principals of institutions of general secondary education of Uman district.

Influence of the *gender* of principals on their professionalism.

According to a comparative analysis of two groups of principals (male principals and women principals), there are statistically significant differences between them ( $p < 0.01$ ,  $p < 0.05$ ) in accordance with certain indices of professionalism. According to some indices, a group of men is in advance of a group of women, according to the others – lags behind. Such indices were one third of all established indices. Thus, analyzing the level of knowledge about the cognitive component of professionalism of principals and its components, it was found that the following knowledge of men predominate: about professional competence – by 1.6%, about the efficiency of management activity – by 13%, about the quality of management activity – by 1.8%, about a professional career – by 17.1%, about professional abilities – by 2.2%. However, women predominate with knowledge of professionalism by 0.4%, about professional maturity – by 3.2%, about professional self-consciousness – by 2.3%.

According to TAT test, the female principals have the so-called “pure hope” for success (the difference between hope for success and avoiding fear of failure) – 42.9% than the male principals – 25%.

We used the Woodcock Fransis Toolkit “By yourself”, “Others”, “Work”. Except principals themselves, their deputies, teachers and heads of education department also took part in these tests. Having matched the results of three tests, we have discovered the limitations of principals of different gender, which are distinguished by the

frequency of their manifestation. Among the female principals (63.6%), such limitations were identified: *blurred personal values, inability to manage themselves, inability to teach, low ability to form a team, insufficiency of a creative approach, insufficiency of skills to solve problems*. Among the male principals (36.4%): *inability to teach, inability to manage themselves, blurred personal values, insufficient understanding of their own management activities, lack of skills to solve problems*.

As we see, the principals of different gender are inherent in almost identical limitations, but they manifest themselves with a different frequency.

Also, for a female sample, a higher level of brightness of manifestation of self-acceptance, contact, depth of experiences, empathy and egocentricity is typical. In a male sample there was a more acute experience of insecurity existence, a larger significance of the internal motive and the motive for assessing its potential.

**Results.** Comparative analysis of the results showed the need for optimal balance of required number of male principals and female principals in the general secondary education institutions. If the principal is a man, his deputy should be a woman and vice versa. The male principals pay more attention to unconventional ways of solving problems, guided decision-making logic more than emotions, give preference to internal motivation and feel the periods of useless existence deeply. Women in management tend to use their intuition more, they are more sociable, have deeper emotional experiences, smooth conflicts more often and prefer external motivation. Our study proved the research of L.M. Karamushka that men are more able to creatively work, but they need to pay more attention to the development of control functions, the ability to educate teaching staff, and to control themselves. Women are more prone to standardized, reproductive activity, according to given instructions, can patiently perform monotonous routine work, they are also subject to careful monitoring the activities of subordinates. Female principals should pay more attention to overcome such limitations as blurred personal values, inability to control them, an inability to teach, low ability to form a team.

Thus, the results of studies indicate that gender of a principal affects the formation of his/her professionalism. The results of the research should be taken into account in the control process of general secondary education institutions.

*Influence of age of principals of general secondary education institutions on the formation of their professionalism.*

During the study of the influence of age on the formation of professionalism of principals, we distinguished three age groups: 1) from 30 to 40 years old; from 41 to 50 years old; from 51 to 60 years old. With the help of three tests by Woodcock Francis Toolkit, the limitations of the principals of all ages are revealed. We found that the following limitations are the most common:

*30 to 40 years old (22 principals – 25%) – the lack of creative approach, blurred personal values, inability to control themselves, lack of understanding of their own management activities, lack of skills to solve problems;*

*41 to 50 years old (42 principals – 47.7%) – inability to teach, blurred personal values, low ability to form a team, inability to control themselves, lack of skills to solve problems, inability to influence people, lack of creative approach etc.*

*51 to 60 years old (24 principals – 27.3%) – inability to manage themselves, blurred personal values, insufficient understanding of their own management activities, slowed self-development, low ability to form a team, inability to teach.*

Among three age categories of principals there are the following limitations: *blurred personal values, inability to control themselves.*

Comparison of value-based orientations of principals aged 30 to 40 years (work experience up to 5 years) and principals aged 41 to 50 years old (work experience from 6 to 10 years) indicates that with the acquisition of social experience and practical skills grows the meaning of such values as the *social authority and recognition* (39.5% of the investigated principals under the age of 40 favored the named value against 61.4% - aged 41 to 50 years), *the possibility of self-development, self-improvement* (54.8% and 73.2% respectively), *the creative nature of management activity* (37.4% and 52.7%). Also increases the instrumental value of performing discipline, responsibility, irreconcilability to their own shortcomings and disadvantages of subordinates, decreases the values of self-control and free time.

We have established that with an increase in the age of the principal of general secondary education institutions *decreases* his/her *hope for success*. According to the age category, pure hope for success have 45.5% of the respondents aged from 30 to 40 years old, 47.6% of the principals of 41 to 50 years. The principals aged of 51 to 60 years have significantly decreased the hope for success – only 16.7%.

A comparative analysis showed that the principals of general secondary education institutions aged from 41 to 50 years get ahead of the principals of other age groups on a significant number of indices of professionalism. In particular, in comparison with the other age groups of principals, they have higher managerial competence and high positive effectiveness in managerial activity, high level of professional and personal maturity. They show a creative approach to solving managerial problems, understand their values and goals and are able to make successful decisions, able to moderate to risk, rapt in their management activities. The principals of this age think systematically, seek to cover all aspects of the problem and all factors that affect it, combine the benefits of accumulated experience with the original, innovative methods of principalship and respond quickly to changes of the educational institution management. They have great opportunities for self-development and self-improvement. They associate professionalism with skills, effectiveness, personnel development, creativity and innovation. It should be taken into account that principals up to *40 years old* also have signs of successful management activities. They have positive attitude to the development of their professionalism, are sure of their success, inclined to take risk, show responsibility. *After 50 years old* principals do not require public authority and recognition. They think more stereotypically, their desire to achieve success decreases, the level of risk decreases during decision-making. They associate professionalism with skill and freedom.

However, regardless of age, all principals should pay attention to overcoming such limitations as blurred personal values and inability to control themselves. In general, the results of research indicate that the age of principals affects the formation

of the main component of professionalism. The most productive for the development of professionalism for the principal is the age of 40 to 55 years.

*Influence of the work experience of management activity of principals on the formation of their professionalism.*

With the help of Woodcock Fransis Toolkit, we have identified the limitations of the principals of the general secondary education institutions with a different experience of managerial activity.

**Table 1. The frequency of manifestation of principals' limitations**

№	Principals' limitations	Frequency of manifestations of limitations (122 manifestations total).
1	Inability to control oneself	18 (14,7% )
2	Blurred personal values	18 (14,7 %)
3	Unclear personal goals	4 (3,3%)
4	Slowed self-development	6 (4,9%)
5	Lack of problem-solving skills	15 (12,3 %)
6	Lack of creativity	14 (11,5%)
7	Inability to influence others	8 (6,6%)
8	Insufficient understanding of management	13 (10,7%)
9	Inability to teach	10 (8,2%)
10	Weak principalship skills	4 (3,3 %)
11	Low ability to form a team	12 (9,8%)

*Source: developed by the author*

Principals having from 1 to 5 years of experience (32 principals – 36.4%) have the following limitations: *low ability to form a team, inability to teach, weak principalship skills, blurred personal values, lack of problem-solving skills, inability to control themselves, lack of creative approach.*

Principals having from 6 to 10 years of experience (26 principals – 29.5%): *inability to teach, low ability to form a team, lack of creativity, lack of understanding of their own management activities, inability to control themselves.*

Principals having from 11 to 15 years of experience (10 principals – 11.4%): *inability to control themselves, blurred personal values, lack of skills to solve problems.*

Principals having from 16 to 20 years of experience (12 principals – 13.6%): *inability to teach, inability to control themselves, low ability to form a team, blurred personal values.*

Principals having from 21 to 25 years of experience (8 principals – 9.1%): *blurred personal values, slowed self-development, lack of creativity.*

As it can be seen, the number of limitations on the way to the formation of professionalism decreases with the acquisition of experience. However, principals, regardless of their experience in management, should pay attention to overcoming such limitations as inability to control themselves and blurred personal values, the frequency of which is the highest.

Using the TAT methodology, we found that the so-called “pure hope” for success have only 25% of principals with the work experience up to 5 years, 53.8% of principals with experience from 6 to 10 years, 60% of principals with experience from 11 up to 15 years, 20% of principals with experience from 16 to 20 years. 50% of principals with the work experience from 21 to 25 years have no hope of success. As we see, with the increase of work experience, the hope for success decreases.

**Discussion.** Using the tests on the standardized methodology of Ye. Z. Zharikov the following features of thinking of the principals of general secondary education institutions with different length of service were revealed:

- Principals having up to 5 years of experience show low response, antinomy, efficiency and ability to set tasks for subordinates. But they show little method, do not always distinguish opinion from facts, do not see difficulties in solving problems;
- Principals having from 6 to 10 years of experience think problematically, cover the subject of study from all sides, taking into account all the factors that affect it. They predict the consequences of decisions, are inertialess, operational;
- Principals having from 11 to 25 years of experience apply knowledge in accordance with the business needs, regardless of the presence or absence of tasks. They show lack of initiative, inertia of thinking. They are also characterized by stereotypical thinking, i.e. cognition, perception and evaluation of the subordinate is based on the personal experience. This allows them to reduce the time to clarify and respond to management situations, but the conclusions made in such circumstances can be erroneous, incomplete, subjective, which will lead to inappropriate actions. Extremely dangerous outdated stereotypes of thinking block the perception of new ideas.

Some principals have difficulties in making effective decisions and solving problems effectively:

- principals having up to 5 years of experience – do not involve the team to prepare important decisions, do not always take responsibility for making important decisions, make decisions that are not always useful for the team, make decisions quickly, often without considering them;
- principals having from 6 to 15 years of experience involve the team to prepare important decisions, do not always take the responsibility for decision-making, decisions are made quickly and boldly, use modern technology;
- principals having from 16 to 25 years of experience involve the team to prepare important decisions, take responsibility for making important decisions, make decisions that are not always useful for the team, make decisions thoughtfully, slowly, there is a tendency to stereotypes.

A comparative analysis of principals with different management experience showed that there are statistically significant differences between them ( $p < 0.01$ ,  $p < 0.05$ ) under certain components of professionalism. According to the results of the study for all principals in our sample, regardless of experience in management, there are the following limitations: *blurred personal values, low ability to form a team, inability to teach. The lack of creativity was shown by principals having up to 5 years of experience and after 21 years of experience.* Principals having from 11 to 15 years

of experience have the greatest hope for success, and principals with more than 21 years of experience have the least hope.

The most optimal features of thinking are shown by the principals having from 6 to 15 years of experience. They think problematically, cover the subject of study in all matters, taking into account all the factors that affect it, predict the consequences of their decisions. They are inertial and operational.

After 21 years of experience, inertia and stereotypes are manifested in thinking.

**Conclusions.** According to the results of the study it is advisable to draw the following conclusions:

1. It is established that for the development of the components of professionalism of principals, their *age* should be taken into account. The most productive for the development of professionalism was the age of principals from 41 to 50 years.

2. *Gender differences* in management should be taken into account as the effectiveness of these activities depends on them. The development of professionalism of female principals is positively influenced by their qualities such as sociability, depth of experience, propensity for consistent control, diligence in performing tasks, including reproductive ones. And for the development of professionalism of male principals we should take into account their non-standard thinking, creative approach to decision-making and problem solving and their logic.

3. *Experience* of management activity from 6 to 15 years most effectively affects the development of professionalism. After 20 years of experience, the manifestation of the main components of principals' professionalism decreases.

**Author contributions.** The authors contributed equally.

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## PSYCHOLOGICAL SUPPORT FOR THE DEVELOPMENT OF REHABILITATION POTENTIAL OF POWER STRUCTURES SPECIALISTS

**Oleksiy Sheviakov<sup>1</sup>, Victoria Kornienko<sup>2</sup>, Iryna Burlakova<sup>3</sup>, Yanina Slavska<sup>4</sup>**

<sup>1</sup>Doctor of Sciences (Psychology), Professor, Professor of the Department of Psychology and Pedagogy, Dnipropetrovsk State University of Internal Affairs, Dnipro, Ukraine, e-mail: shevyakovy0@gmail.com, ORCID: <https://orcid.org/0000-0001-8348-1935>

<sup>2</sup>Doctor of Sciences (Psychology), Associate Professor, Associate Professor of the Department of Psychology and Pedagogy, Dnipropetrovsk State University of Internal Affairs, Dnipro, Ukraine, e-mail: viktoria\_korn@ukr.net, ORCID: <https://orcid.org/0000-0002-8043-3046>

<sup>3</sup>Doctor of Sciences (Psychology), Professor, Professor of the Department of Psychology and Pedagogy, Dnipropetrovsk State University of Internal Affairs, Dnipro, Ukraine, e-mail: burlakova22irina@gmail.com, ORCID: <https://orcid.org/0000-0002-6043-4359>

<sup>4</sup>Ph.D. (Pedagogy), Associate Professor, Associate Professor of the Department of Psychology and Pedagogy, Dnipropetrovsk State University of Internal Affairs, Dnipro, Ukraine, e-mail: yanina19771@gmail.com, ORCID: <https://orcid.org/0000-0003-2498-3323>

**Abstract.** The increasing demands on specialists in power structures, including military, law enforcement, and emergency services, require the development of a robust system of psychological support. These professionals face high-stress environments, which often lead to physical, emotional, and psychological challenges that impair their operational effectiveness. This study focuses on establishing a comprehensive system of psychological support to enhance the rehabilitation potential of these specialists, enabling recovery, adaptability, and sustained professional performance. Rehabilitation potential is conceptualized as an individual's ability to recover and maintain effectiveness amidst adverse circumstances, emphasizing the need for integrated psychological diagnostics, interventions, and support. The study aims to develop a conceptual framework and practical approaches for enhancing the psychological rehabilitation potential of specialists within power structures. The study involved 175 participants, comprising 91 specialists diagnosed with depressive disorders of neurotic origin and 84 individuals without diagnosed mental disorders. A mixed-methods approach was employed, integrating the following: I. Karler Questionnaire; Life Satisfaction Index, adapted by N. Panina; Statistical Analysis Tools. The study identified key areas of dissatisfaction and psychological trauma in both groups, focusing on interpersonal, professional, and social domains. The findings underscore the importance of addressing personal, professional, and social factors in psychological rehabilitation. Normative benchmarks, including high levels of life satisfaction, resilience, and self-confidence, were identified among individuals without mental disorders. These benchmarks serve as goals for rehabilitation interventions.

**Keywords:** psychological rehabilitation; power structures; resilience; life satisfaction; neurotic disorders; social functioning; self-esteem; stress management.

**JEL Classification:** H10, IO, Y8

**Formulas:** 0; **fig.2;** **tabl.:** 0; **bibl.:** 17

**Introduction.** The increasing demands placed on specialists within power structures, including military, law enforcement, and emergency services, necessitate a robust and adaptive system of psychological support. These professionals often operate in high-stress environments, encountering physical, emotional, and psychological challenges that can significantly impact their well-being and operational effectiveness. To ensure sustained performance and resilience, it is critical to develop a comprehensive approach to rehabilitation that addresses both immediate and long-term psychological needs.

This article explores the framework for a system of psychological support aimed at fostering the rehabilitation potential of specialists in power structures. Rehabilitation potential refers to an individual's capacity to recover, adapt, and maintain their professional and personal effectiveness despite exposure to adverse circumstances. Enhancing this potential requires a multidimensional strategy that integrates

psychological diagnostics, targeted interventions, and continuous support tailored to the unique demands of these professions.

The discussion begins by examining the key stressors and psychological challenges faced by power structure specialists, followed by an analysis of existing psychological support systems. The article then outlines innovative approaches and methodologies for psychological rehabilitation, emphasizing the importance of a proactive and preventive model. By addressing these issues, this study seeks to contribute to the development of a scientifically grounded and practically effective system of psychological support, ensuring that power structures specialists remain resilient, adaptable, and capable of meeting the complexities of their roles.

**Literature review.** The role of psychological support in enhancing the rehabilitation potential of specialists within power structures has garnered significant attention in recent years. This literature review examines key research and theoretical contributions in the domains of stress management, resilience building, and psychological rehabilitation, particularly as they apply to military, law enforcement, and emergency services personnel.

Studies have consistently highlighted the unique stressors faced by individuals in power structures. For example, McCreary and Thompson (2006) investigated the relationship between occupational stress and mental health outcomes in police officers, emphasizing the importance of tailored stress management interventions. Similarly, Britt et al. (2016) explored resilience as a mediator of stress effects, providing insights into how resilience training can mitigate the psychological burden on military personnel.

Rehabilitation potential is increasingly recognized as a dynamic and multidimensional construct. Hoge et al. (2004) examined post-deployment psychological support systems for soldiers, identifying critical gaps in addressing long-term mental health needs. Meanwhile, Adler et al. (2011) introduced a framework for early psychological intervention, which has informed strategies for enhancing recovery in high-stress professions.

Emerging methodologies, such as trauma-informed care and evidence-based cognitive-behavioral techniques, have proven effective in improving outcomes for individuals exposed to high levels of occupational stress. Research by Meichenbaum (2007) on stress inoculation training provides a foundation for preventive measures, while van der Kolk (2014) emphasizes the role of somatic therapies in addressing trauma-related symptoms.

The application of these psychological principles to power structures is a growing area of interest. Recent studies (e.g., Kuremyr et al., 2020) have underscored the need for systemic approaches that integrate organizational support, peer networks, and access to professional mental health services. These models aim to enhance the overall resilience and rehabilitation potential of personnel, ensuring sustained effectiveness in demanding roles.

**Aims.** The primary aim of this study is to develop a conceptual framework and practical approaches for enhancing the psychological rehabilitation potential of specialists within power structures. Specifically, the research seeks to identify key

psychological mechanisms and social factors contributing to rehabilitation, establish diagnostic criteria for assessing rehabilitation potential, and propose interventions to improve well-being, social functioning, and resilience in individuals experiencing neurotic depressive disorders.

The main objectives of the article are:

- to analyze theoretical and methodological approaches to the rehabilitation of individuals in contemporary society;
- to develop a conceptual model of rehabilitation within the context of modern society;
- to design and validate psychological diagnostic tools for assessing the rehabilitation potential of individuals;
- to establish criteria for differentiating various forms of rehabilitation in modern society;
- to examine the psychological mechanisms that promote constructive forms of rehabilitation potential in individuals;
- to propose a socio-psychological program aimed at addressing destructive forms of rehabilitation potential and evaluate its effectiveness.

**Methodology.** A study involving 175 participants was conducted to examine the peculiarities of social functioning as components of psychological rehabilitation potential. The main group comprised 91 specialists diagnosed with depressive disorders of neurotic origin, while the control group included 84 individuals without any diagnosed mental disorders.

To achieve the objectives, a comprehensive set of research methods was employed, including:

- Questionnaire: The I. Karler questionnaire was used for data collection;
- Life Satisfaction Assessment: The "Life Satisfaction Index," adapted by N. Panina, was applied to measure participants' satisfaction with life;
- Data Analysis Tools: Quantitative data were processed using statistical software, including SPSS version 15.0 and MS Excel version 8.0.3.

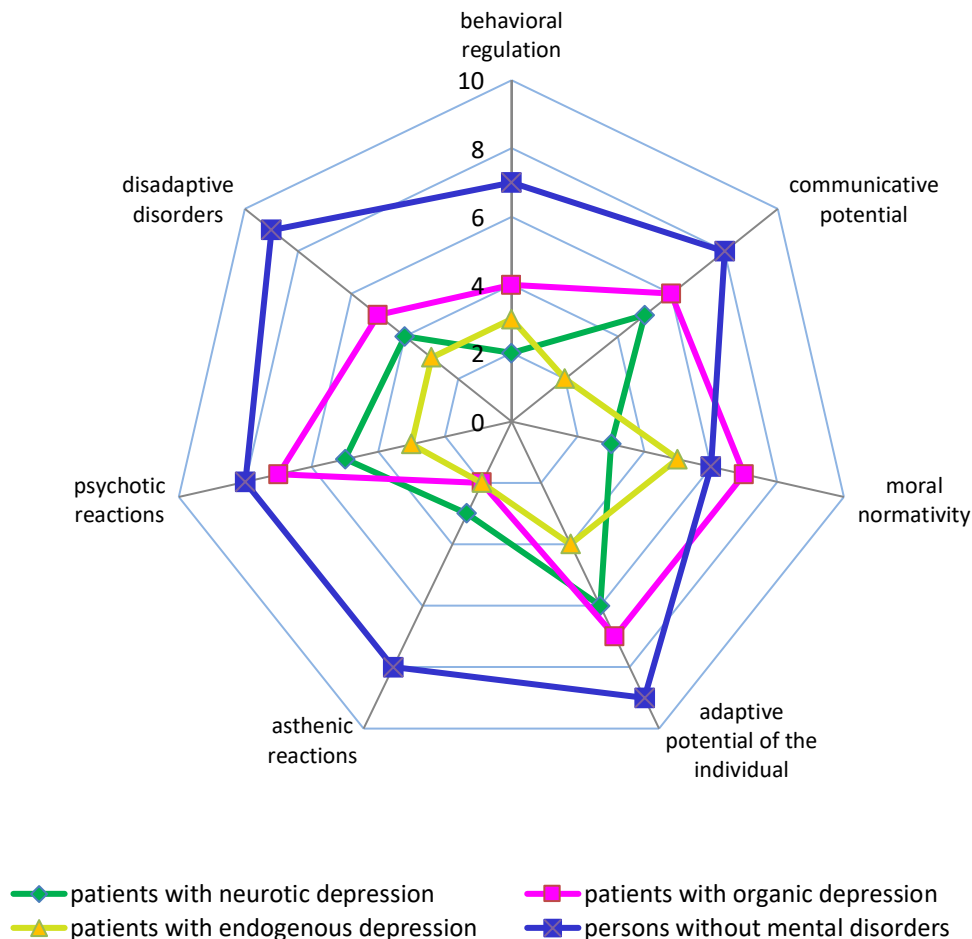
The findings of the study contribute to a deeper understanding of the psychological aspects of rehabilitation and offer practical implications for enhancing the rehabilitation potential of individuals within modern society.

**Results.** To investigate the specific characteristics of social functioning across various domains, law enforcement agency specialists with depressive disorders of neurotic origin were assessed using the I. Karler questionnaire. The results identified the areas of greatest trauma and dissatisfaction (Fig. 1). The findings revealed that specialists with neurotic depression exhibited significant dissatisfaction with marital relationships ( $55.65 \pm 13.47\%$ ), relationships with relatives ( $53.76 \pm 11.63\%$ ), professional activity ( $45.68 \pm 10.30\%$ ), and social interactions ( $42.60 \pm 10.10\%$ ).

In contrast, individuals without mental health disorders reported substantially lower levels of dissatisfaction in these domains. Among this group, dissatisfaction with marital relationships was reported at 32.96%, relationships with relatives at 34.75%, professional activity at 32.30%, and the social sphere at 34.09%.

Statistical analysis confirmed that the overall level of dissatisfaction with social functioning was significantly higher in patients with neurotic depression compared to

individuals without mental illness ( $p < 0.05$ ). This disparity was particularly evident in dissatisfaction with relationships with relatives, marital relationships, occupational activity, and the social sphere. Specialists with neurotic disorders showed significantly higher dissatisfaction levels compared to their healthy counterparts ( $t = 6.348$ ,  $p < 0.0001$ ;  $t = 6.340$ ,  $p < 0.0001$ ;  $t = 4.761$ ,  $p < 0.0001$ ;  $t = 5.102$ ,  $p < 0.001$ , respectively).



**Figure 1. Characteristics of Social Functioning in Law Enforcement Specialists with Depressive Disorders of Neurotic Etiology**

For a comprehensive analysis of the key areas of mental trauma among specialists with depressive disorders of neurotic origin, several data scales were examined to delineate specific domains of psychological impact. In the realm of marital relations, specialists with neurotic depression exhibited pronounced mental trauma in areas such as extramarital relationships ( $3.65 \pm 1.20$  points), misunderstandings related to the division of family responsibilities ( $3.65 \pm 1.17$  points), lack of emotional intimacy between spouses ( $3.25 \pm 1.45$  points), differing attitudes toward financial matters ( $3.10 \pm 1.29$  points), and a lack of mutual understanding with spouses ( $3.00 \pm 1.01$  points). In contrast, individuals without mental pathology reported only minor challenges, such as difficulties in understanding the division of family responsibilities ( $2.35 \pm 1.44$  points) and dissatisfaction arising from excessive work-related obligations of one partner ( $2.32 \pm 0.92$  points).

An analysis of relational dynamics with extended family members revealed that specialists with neurotic depression experienced significant difficulties with relatives living in close proximity ( $4.25 \pm 1.15$  points), dissatisfaction with the overall family and domestic environment ( $4.11 \pm 1.22$  points), misunderstandings with mothers or mothers-in-law ( $3.97 \pm 1.10$  and  $3.45 \pm 0.92$  points, respectively), the presence of a family member's illness or caregiving responsibilities ( $2.69 \pm 0.96$  points), and issues related to children ( $2.38 \pm 0.64$  points). In comparison, individuals without mental disorders reported less severe challenges, including difficulties communicating with their spouse's mother ( $2.13 \pm 0.67$  points) or with children ( $2.08 \pm 0.71$  points), particularly when living in the same area ( $2.13 \pm 0.84$  points).

In the professional domain, specialists with neurotic depression reported heightened mental trauma due to strained relationships with management ( $3.25 \pm 1.21$  points) and colleagues ( $2.83 \pm 1.12$  points), work overload ( $3.89 \pm 0.90$  points), insufficient professional recognition ( $3.26 \pm 0.71$  points), and dissatisfaction stemming from a mismatch between their work and professional interests ( $3.45 \pm 1.27$  points). Conversely, individuals without mental disorders reported fewer conflicts, primarily related to insufficient recognition ( $2.13 \pm 1.26$  points) and overwork ( $2.68 \pm 1.07$  points).

In the social sphere, specialists with neurotic depression expressed higher levels of frustration with politicians ( $4.78 \pm 0.51$  points), discrepancies between socio-political expectations and realities ( $3.77 \pm 1.23$  points), and differences in worldviews and political positions ( $2.67 \pm 0.74$  and  $2.65 \pm 0.87$  points, respectively). Healthy individuals also reported frustration with politicians, though to a lesser degree ( $3.89 \pm 1.15$  points).

Statistical analysis highlighted the primary domains of mental trauma among specialists with neurotic depression. In marital relationships, these specialists were significantly more affected by extramarital affairs ( $t = 3.242$ ,  $p < 0.001$ ), division of responsibilities ( $t = 2.461$ ,  $p < 0.025$ ), and misunderstandings regarding decisions on children ( $t = 2.253$ ,  $p < 0.025$ ) and financial matters ( $t = 2.914$ ,  $p < 0.005$ ) compared to their healthy counterparts. Additional difficulties included a lack of emotional intimacy ( $t = 2.712$ ,  $p < 0.025$ ), mutual understanding with spouses ( $t = 2.162$ ,  $p < 0.05$ ), sexual dysfunction ( $p < 0.001$ ), and disagreements over leisure activities ( $p < 0.01$ ).

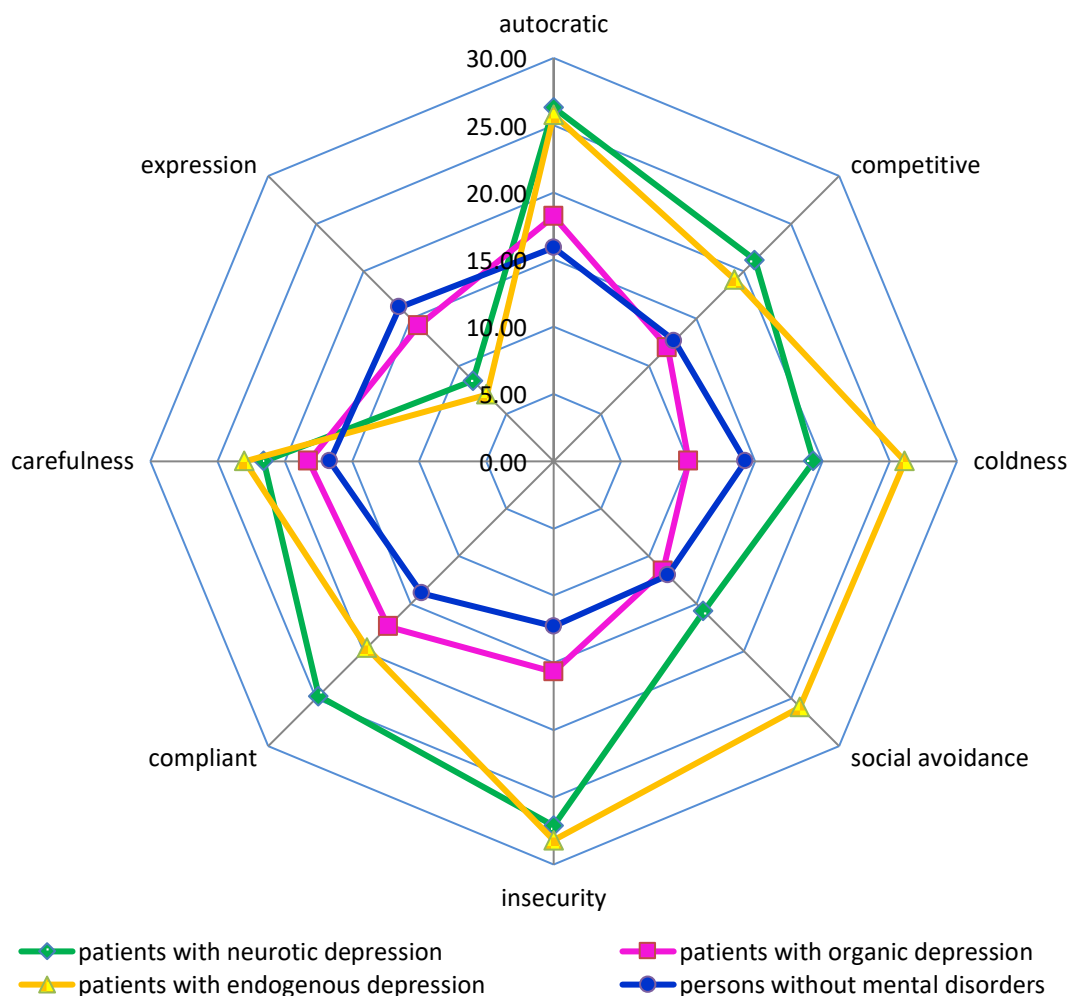
In the familial domain, specialists with neurotic depression were more likely to report dissatisfaction with the family situation ( $p < 0.0001$ ), strained relations with their spouse's mother ( $p < 0.025$ ), and conflicts with relatives living nearby ( $p < 0.001$ ). They also experienced greater challenges in understanding parents ( $t = 4.122$ ,  $p < 0.001$ ) and in-laws ( $t = 2.489$ ,  $p < 0.025$ ) compared to individuals without mental disorders.

In the professional sphere, specialists with neurotic depression reported higher levels of tension in relationships with management ( $p < 0.0001$ ) and colleagues ( $p < 0.05$ ), as well as greater dissatisfaction with work not aligned with their professional interests ( $p < 0.001$ ).

An analysis of life satisfaction among specialists with neurotic depression, using the "Life Satisfaction Index" adapted by N. Panina, revealed that 49.45% demonstrated

a moderate level of interest in life, while 29.67% reported low and 20.88% high levels of interest. On the "consistency in achieving goals" scale, the majority showed low levels ( $41.76 \pm 3.54\%$ ), followed by moderate (34.07%) and high levels (24.18%), reflecting a tendency toward passivity in addressing challenges. Furthermore, 51.65% reported low coordination of goals and achievements, indicative of intrapersonal conflict, while self-esteem levels were predominantly moderate (51.65%), with smaller proportions exhibiting high (25.27%) or low self-esteem (23.08%).

Overall, the mood among these specialists was primarily satisfactory ( $47.25 \pm 3.81\%$ ) or reduced ( $31.87 \pm 2.92\%$ ), with the life satisfaction index revealing moderate psychological comfort in 43.96% of cases, low satisfaction in 35.16%, and high satisfaction in only 20.88%.



**Figure 2. Severity of Personality Issues in Individuals Diagnosed with Depression**

Individuals without mental disorders exhibited predominantly high and medium levels of life interest, accounting for 38.10% ( $\pm 3.61$ ) and 45.24% ( $\pm 4.03$ ), respectively. This reflected their active engagement with daily activities and a general enthusiasm

for life. Furthermore, among individuals without mental disorders, the indicators for "consistency in achieving goals" and "alignment between goals and their achievement" were predominantly within the medium range ( $46.43\% \pm 4.09$  and  $40.48\% \pm 3.76$ , respectively). These results indicate an adequate assessment and utilization of personal efforts toward goal attainment.

Additionally, the vast majority of individuals without mental disorders demonstrated an average level of positive self-esteem ( $61.90\% \pm 4.60$ ), indicative of an appropriate and balanced self-perception. Regarding general mood, 36.90% of individuals reported high levels, 45.24% demonstrated moderate levels, and only 17.86% experienced a reduced mood. A similar distribution was observed for overall life satisfaction and psychological comfort, with 32.14% of participants reporting high satisfaction levels, 47.62% moderate satisfaction, and 20.24% low satisfaction.

A comparative analysis of psychological well-being between professionals with depressive disorders and those without mental disorders revealed significant differences. Statistical analysis indicated that individuals with high levels of life satisfaction were more prevalent among those without mental disorders, whereas individuals with low levels of satisfaction were more common among specialists with neurotic depression ( $p < 0.01$ ,  $DC = 2.40$ ,  $MI = 0.18$ ). Interest in life was significantly higher among healthy individuals, with more participants demonstrating high levels of interest compared to specialists with neurotic and endogenous depression ( $p < 0.005$ ,  $DC = 2.61$ ,  $MI = 0.22$ ). Conversely, individuals with low life interest were predominantly found among those with neurotic depression ( $p < 0.01$ ,  $DC = 2.50$ ,  $MI = 0.16$ ).

Healthy individuals also displayed greater determination and resilience in achieving goals, with more participants achieving medium levels compared to those with neurotic depression ( $p < 0.05$ ,  $DC = 1.34$ ,  $MI = 0.08$ ). Conversely, specialists with neurotic depression exhibited greater passivity toward achieving personal goals ( $p < 0.005$ ,  $DC = 2.44$ ,  $MI = 0.22$ ). Confidence in overcoming failures was significantly higher among individuals without mental disorders, who showed more participants with high confidence compared to those with neurotic depression ( $p < 0.001$ ,  $DC = 3.51$ ,  $MI = 0.34$ ). Among the latter, individuals with low confidence levels predominated ( $p < 0.0001$ ,  $DC = 3.15$ ,  $MI = 0.42$ ). Furthermore, adequate self-esteem was more prevalent among healthy individuals than among those with neurotic depression ( $p < 0.048$ ,  $DC = 0.79$ ,  $MI = 0.04$ ).

General mood was significantly higher among individuals without mental disorders ( $p < 0.01$ ,  $DC = 2.47$ ,  $MI = 0.20$ ), whereas patients with neurotic depression were predominantly characterized by low mood levels ( $p < 0.01$ ,  $DC = 2.52$ ,  $MI = 0.18$ ).

These findings underscore the critical components of psychological well-being that influence the rehabilitation potential of law enforcement personnel with neurotic depressive disorders. Social functioning, psychological well-being, and interpersonal and family communication emerged as essential determinants of successful psychological rehabilitation.



Normative components of psychological rehabilitation potential among individuals without mental disorders were also identified. These components, which reflect psychological well-being, may serve as benchmarks or objectives for rehabilitation interventions. Key indicators included overall life satisfaction (47.62%), life interest (45.24%), determination and resilience in achieving goals (46.43% and 40.48%, respectively), and a high level of self-confidence (61.90%). These normative indicators can inform targeted strategies for psychological rehabilitation and serve as a foundation for improving the well-being of individuals with mental health challenges.

**Discussion.** The findings of this study emphasize the critical role of psychological well-being and social functioning in determining the rehabilitation potential of specialists within power structures. The results highlight significant disparities between individuals with neurotic depressive disorders and those without mental health issues, particularly in areas such as marital relationships, professional activity, and interpersonal communication.

Law enforcement specialists with neurotic depressive disorders reported higher levels of dissatisfaction in both personal and professional domains. For instance, unresolved conflicts, inadequate emotional intimacy, and strained relationships with colleagues and superiors were predominant stressors. These findings align with existing literature, which identifies occupational stress, interpersonal conflicts, and unaddressed psychological trauma as major contributors to reduced rehabilitation potential.

In contrast, individuals without mental health disorders exhibited greater resilience, determination, and life satisfaction. This group also reported adequate self-esteem and more balanced goal achievement, indicating their ability to effectively manage stress and maintain psychological stability. These normative psychological components can serve as benchmarks for designing targeted interventions aimed at improving rehabilitation outcomes in vulnerable populations.

The analysis further underscores the necessity of a systemic approach to psychological rehabilitation. Interventions should address the psychological, social, and professional dimensions of individuals' lives, integrating diagnostic tools, preventive measures, and therapeutic strategies. By fostering resilience, promoting positive interpersonal dynamics, and reducing occupational stress, these interventions can enhance overall rehabilitation potential.

**Conclusion.** This study demonstrates that psychological well-being, social functioning, and resilience are fundamental to the rehabilitation potential of specialists within power structures. Individuals with neurotic depressive disorders face significant challenges in achieving psychological stability, primarily due to unresolved personal and professional conflicts. These findings highlight the importance of a comprehensive psychological support system that incorporates diagnostic assessments, tailored interventions, and preventive strategies.

By establishing normative benchmarks of psychological well-being and rehabilitation potential, this research provides a foundation for developing effective rehabilitation programs. Such programs should focus on promoting life satisfaction,

enhancing self-esteem, and fostering determination and resilience in goal achievement. Ultimately, these interventions aim to restore the psychological health of specialists, ensuring their sustained effectiveness in demanding professional environments.

**Author contributions.** The authors contributed equally.

**Disclosure statement.** The authors do not have any conflict of interest.

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