

## MODERN CHALLENGES IN LABOR RELATIONS AS A THREAT TO HUMAN RESOURCES AND PERSONNEL SECURITY

### СУЧАСНІ ВИКЛИКИ В ТРУДОВИХ ПРАВОВІДНОСИНАХ ЯК ЗАГРОЗА КАДРОВОЇ БЕЗПЕКИ

**Dulgerova O.M., PhD in History,  
Associate Professor at the Civil Defence Management Department  
Cherkasy Institute of Fire Safety named after the Heroes of Chornobyl National University  
of Civil Defence of Ukraine**

**Kuznetsova L.V., PhD in Law, Associate Professor,  
Acting Dean of the Law and Humanities Faculty  
Rauf Ablyazov East European University**

**Kuprikova S.V., PhD in Educational Sciences, Associate Professor,  
Head of Theory and Practice of Translation  
and Foreign Languages Department  
Rauf Ablyazov East European University**

Personnel security remains one of the most complex issues of organizational and managerial relations, since personnel is the most important resource of any enterprise. The task of personnel security is not only to provide the organization with the necessary employees, but also to retain employees, to create a favorable microclimate together with the management.

Based on economic and legal research, the article highlights the main issues of formation of the enterprise's personnel policy, which is an integral part of personnel security. The authors reveal the problem of recruitment of personnel, rational use of labor resources, compliance with the current labor legislation at the enterprise, and creation of a favorable microclimate.

It is proved that personnel security of an enterprise should occupy a leading place among other components of enterprise security. It is argued that the task of personnel security is not only to counteract the negative impact coming from the personnel, but also to counteract the one who directs these personnel.

The authors study the main stages of formation of the personnel security policy and prove that its essence lies in timely formulation of the enterprise's goals and strategy in terms of compliance with organizational and production discipline by all employees.

The article highlights the components of the threat to personnel security that are currently gaining rapid momentum, such as mobbing, bossing, and gaslighting. These phenomena are a consequence of the economically tense situation characterized by the employer's failure to take effective measures to create safe conditions within the workforce.

The authors emphasize the problem of "blind" harmonization of Ukrainian legislation with European legislation and suggest that the legislator should take into account the realities of today when adopting, amending or supplementing a particular legal act and constantly refer to the historical processes of the State's development with a view to preserving and protecting Ukrainian society.

**Key words:** personnel security, personnel policy, labor challenges, mobbing, bossing, gaslighting.

Кадрова безпека залишається одним із складних питань організаційно-управлінських відносин, так як кадри є найважливішим ресурсом будь-якого підприємства. завданням кадрової безпеки є не тільки забезпечення організації необхідними співробітниками, а й утримання співробітників, створення разом з керівництвом сприятливого мікроклімату.

У статті на основі економіко-правових дослідження висвітлено основні питання формування кадрової політики підприємства, яка є невід'ємною складовою кадрової безпеки. Розкрито проблему підбору персоналу, раціонального використання трудових ресурсів, дотримання діючого трудового законодавства на підприємстві, формування сприятливого мікроклімату.

Доведено, що кадрова безпека підприємства повинна займати провідне місце серед інших складових безпеки підприємства. Висунуто твердження, що завдання кадрової безпеки полягає не тільки в протидії негативному впливу, який йде від персоналу, а й протидії тому, хто направляє цей персонал.

Автори досліджують основні етапи формування політики кадрової безпеки, доводять, що її суть полягає в своєчасному формулюванні цілей та стратегії підприємства в частині дотримання всіма працюючими організаційної та виробничої дисципліни.

В статті висвітлено складові загрози кадрової безпеки, що на сучасному етапі набувають стрімкого оберту, як то моббінг, боссинг, газлайтінг. Ці явища є наслідком економічно напруженої ситуації, що характеризується неприйняттям у ряді випадків роботодавцем дієвих заходів щодо створення безпечних умов в середині трудового колективу.

Авторами зроблено наголос на проблемі «сліпої» гармонізації українського законодавства з європейським, запропоновано законодавцю враховувати реалії сьогодення під час прийняття, змінити або доповнення того чи іншого нормативно-правового акту та постійно звертатися до історичних процесів розвитку держави з метою збереження та охорони українського суспільства.

**Ключові слова:** кадрова безпека, кадрова політика, трудові виклики, моббінг, боссинг, газлайтінг.

**Statement of the problem.** In modern economic conditions the task of personnel security is to form mobile organizational and managerial mechanisms for organizing labor. In which every employee of the organization is confident in both safe working conditions and proper incentives, since ineffective ways of motivating employees are the result of poor performance of their functional duties. It is safe to say that the final result of any organization's work directly depends on a well-coordinated system of motivating and incentivizing employees, and a well-established personnel security subsystem.

**Analysis of scientific research.** The following scholars have devoted their works to the issues of personnel security:

A. Marenych, B. Sachalko, O. Soroka, N. Mekheda, T. Zubko, O. Kravchenko, L. Bobko, V. Panchenko and others. They conducted separate studies on personnel security, enterprise security policy, mobbing and bossing challenges in the workforce. However, the issue of the impact of modern labor challenges on the personnel security of any structural unit has not yet been sufficiently covered, which determines the relevance of this article.

**The purpose of the article** is to highlight the elements of personnel security aimed at preventing negative labor challenges in the team and to develop legal proposals to combat these phenomena.

**Summary of the main material.** Personnel security should be understood as the state of protection of the social and labor sphere of an economic entity from internal and external threats and dangers, which is achieved through the correct selection and application of appropriate means, methods and management tools and contributes to both the effective use of personnel and the successful development of the enterprise as a whole [1, p. 64].

In order to prevent and eliminate the negative consequences that may pose a threat to personnel security within the organization, timely identification of negative challenges, namely mobbing, bossing and gaslighting, is essential.

The term “mobbing” refers to unfair treatment of an employee, creation of deliberately unfavorable conditions for him or her, bullying or discrimination by the employer or other employees [9]. The reason for mobbing is usually the unwillingness to engage in healthy competition in the workplace and the fear of losing power in the team.

The history of its origin dates back to the dominance of the communist party ideology in our country as a panacea for all human ills, and the entrenchment of the command and control system became the “traditional” brakes on the effective development of the independent Ukrainian state. The reluctance to change the social and domestic standard of living and working life established for officials, the abolition of the “telephone right” and the reluctance to make any positive changes motivated by the fear of changing the social way of life have become the spreader of such a “virus” as mobbing (in all its manifestations), which has taken the same level as the telephone right and spread not only to government officials but also to all working citizens (incidentally, to them in the first place). This is especially evident in times of economic crises and intense competition, where workers become mere “pawns” in the game for the survival of managers.

Labor law theorists include envy and the prospects of retaining a job by employees of retirement and pre-retirement age as reasons for mobbing. Another reason for mobilization is inactivity, i.e. minimization of creative activity, because when an employee is engaged in his or her direct duties, he or she has no time to spend on sorting out relationships with colleagues. Conversely, when employees are not overloaded with work for objective and subjective reasons, are not focused on positive results in their work, do not share the views and priorities of the company, but only put their own interests above the interests of the company, this is the main prerequisite for labor mobilization [4, p. 117].

A working person spends half of his or her life at work, and it is the atmosphere in the team that affects the quality of work, as most of the working time is spent on intrigue and emotional experiences. It is also worth noting an equally important problem – damage to psychological well-being. According to psychologists, the more and longer the mobbing process affects a person’s sphere of existence, the more freedom of action is limited, and the threat to the concept of personal life increases, which in turn can lead to suicidal consequences.

Researchers identify three reasons for mobbing: 1) intentional provocation; 2) distinguishing persecution from discrimination; 3) defenselessness and exhaustion of the victim.

Mobbing can be both horizontal and vertical. Researchers call vertical mobbing bossing, which has somewhat different roots than regular mobbing. Most often, it is caused by a manager’s desire to alienate a previously close employee for various reasons. Usually, the manager clearly and unambiguously pursues the goal of getting rid of an “unwanted” employee.

Manifestations of bossing in the team are a sign that the organization of work in the team is incorrect and the manager is incompetent [10]. With well-organized work and a transparent performance evaluation system, the motivation for hidden pressure disappears. As a rule, bossing thrives in teams where

labor laws and local regulations regarding labor relations are neglected, where management does not resolve conflicts in a civilized manner; and where the manager, for fear of losing power, does not want to support healthy competition in the team, the career growth of the employee as a component of the organization's development.

Another manifestation of bossing is the “pushing out” of an employee as a result of poorly conducted “recruiting” when the manager has chosen the wrong specialist and does not have the courage to say so, so he tries to make the employee quit on his own.

Among methods of bossing are the following: reprimanding, “overwhelming” with complex tasks, lack of material incentives and salary increases, loading a specialist with routine tasks that are below his or her level of competence, creating a psychologically unfavorable climate [9]. The use of all these methods in relation to any self-respecting professional will force him or her to leave the job on their own. The destruction of the institution of trade unions, the labor dispute commission and the unwillingness to establish a strong institution of social partnership for 29 years has resulted in the fact that employees are often powerless in the “struggle” with management. For the same reason, they cannot count on the support of their coworkers. When they see a colleague being “poisoned”, they are at best silent. But more often than not, they smile, glad that the choice of a manager – at least this time, did not fall on them.

In addition to fulfill production tasks, a manager should take care of a favorable psychological atmosphere in the team – this norm was enshrined in the first Labor Code. If there is a situation of bossing in the team, you should think about the professional qualities of the manager. If the boss resorts to “bullying” methods, it means that he or she is not able to build relationships with subordinates competently. Ideally, a manager should build constructive communication with subordinates while avoiding conflicts.

International experience shows that in many European countries, it is possible to fight bossing legally by filing a lawsuit [10]. However, in court, the applicant will have to present irrefutable evidence that the manager behaved unethically towards him or her. If the victim succeeds in proving the fact of bossing, the company where he or she works will be obliged to pay a large fine. In addition, such proceedings will become publicized and the company’s reputation will suffer.

In today’s world, every worker finds himself or herself thinking that he or she may be trapped in gossip, harassment, and become a victim of “passing on” distorted information to management. When researching the “history” of victims of persecution, scientists cite shocking figures, as it is very difficult to track the “victim” and “provocateur” of the conflict, the causes of the unhealthy atmosphere in the team. After all, not every owner will agree to an internal investigation of such calls, especially since such an investigation may take some time. Moreover, managers unknowingly become victims of these challenges, which are characterized by the perception of false information as normal.

The socio-economic crisis in the country, which has resulted in mass unemployment, has created a new challenge in labor relations, namely gaslighting.

Gaslighting is a form of psychological violence, the main task of which is to make a person doubt the objective perception of information and events, to recognize an individual as an individual of deviant behavior. The history of gaslighting dates back to the release of the American movie “Gaslight” in 1944.

Gaslighting is a long-term strategic process and is mostly applied to competing colleagues who have a better chance of getting a managerial or better-paid position. Such employees, with the help of “weak” subordinates who are afraid of losing their jobs due to their incompetence, are convinced by their managers that they are overly concerned

about their work, that they are worried about some issues, and that their behavior is generally inadequate. By driving the employee into a dead end in this way, the latter submits to the aggressor, feeling the inevitability of fulfilling all the outlined duties imposed on him by his management. There is another model of gaslighting, not by the manager, but by a colleague who intends to worsen the relationship between subordinates and the manager, thereby discriminating against the manager in his or her favor.

Unfortunately, the challenges of gaslighting in the modern world are gaining rapid momentum, people suffer from it and do not immediately notice that they have become its victim (this applies to both subordinates and managers).

It is worth noting that the object of civil legal relations is the dignity of a person, which in international labor law is the object of labor relations. Although in 2012 the Law "On Principles of Prevention and Combating Discrimination in Ukraine" [8] came into force in Ukraine, which outlines the organizational

and legal principles of prevention and combating discrimination, the procedure for protecting honor and dignity in the workplace, which is significantly different from the protection of honor and dignity inherent in civil law relations, has not been worked out. We hope that in the process of reforming the labor law area, the institution of protection of honor and dignity and the functioning of a normal microclimate in the labor collective and among individual employees will appear.

**Conclusions.** As is well known, every employee should receive material and moral satisfaction from his or her work. The legal basis for such satisfaction is a well-coordinated labor collective that clearly sees the ultimate goal set by the owner for the employees and intends to fulfill it efficiently. The satisfaction of the team with the relationships is one of the characteristic features of the psychological microclimate, and the principle of labor mutual assistance is the most productive and guarantees compliance with the rules of personnel security at the enterprise.

#### REFERENCES

1. Зубко Т., Лаптева В. Індикатори кадрової безпеки підприємства. *Вісник КНТЕУ*. 2018. № 4 С. 57-67.
2. Бобко Л.О., Мариняк Л.В. Актуальні проблеми формування кадрової політики системи державної служби України. *Державне управління: удосконалення та розвиток*. 2018. № 2. URL: [http://www.dy.nayka.com.ua/pdf/10\\_2018/23.pdf](http://www.dy.nayka.com.ua/pdf/10_2018/23.pdf).
3. Кравченко О. Мобінг у трудовому праві. *Вісник АПСВТ*. 2018, №3. С. 90-91.
4. Кузнецова Л.В. Питання гармонізації українського трудового права. *Гармонізація законодавства України з правом Європейського Союзу: зб. тез доповідей Всеукраїнської наукової конференції, 17 квітня 2021 р. (м. Хмельницький)*. Хмельницький: ХНУ, 2021. С.97-99
5. Маренич А.І. Проблеми мобінгу в трудових колективах. *Вісник Університету Банківської Справи Національного Банку України*. № 3 (9) грудень 2010. С. 326-328.
6. Мехеда Н.Г. Мудь А. Кадрова безпека як підсистема економічної безпеки підприємства. URL: [http://www.rusnauka.com /33\\_DWS\\_2013/Economics/10\\_149832.doc.htm](http://www.rusnauka.com /33_DWS_2013/Economics/10_149832.doc.htm).
7. Панченко В.А. Місце кадрової безпеки в системі економічної безпеки підприємства. *Науковий вісник Ужгородського національного університету*. Випуск 21.Ч 2. 2018. С. 53-60.
8. Про засади запобігання та протидії дискримінації в Україні: Закон України, від 06.09.2012 № 5207-VI. URL: <http://zakon0.rada.gov.ua/laws/show/5207-17>.
9. Сачалко Б. Мобінг: все частіше українці стають жертвами цькування на роботі. URL: [http://cripo.com.ua/print.php?sect\\_id=10&aid=89675](http://cripo.com.ua/print.php?sect_id=10&aid=89675).
10. Сорока О.В. Сутність, наслідки та профілактика мобінгу у трудових колективах. URL: <http://dspace.oneu.edu.ua/jspui/bitstream/123456789/1891/>