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PUBLIC ADMINISTRATION PROBLEMS OF INTERNATIONAL INTEGRATION OF MARITIME TRANSPORT OF UKRAINE

The relevance of the work lies in the fact that in the modern conditions of globalization of world markets, the poly-subjectivity of the maritime transport infrastructure as such, as well as against the background of the challenges posed by the global pandemic, issues of state regulation of the maritime transport are becoming especially important.

At the moment, 90% of the world's goods are transported by sea, which means that personnel working in the maritime industry, on ships, in the field of maritime infrastructure such as ports, terminals, mining rigs are becoming «key workers» ensuring the stability of the world economy thanks to their professionalism, endurance, and sometimes sacrifice.

Based on the foregoing, it becomes obvious that the analysis, identification and search for solutions to the problems of Ukraine's maritime transport infrastructure is an important aspect in the development of the Ukrainian economy, and the international integration of Ukrainian maritime transport and infrastructure will allow to recreate and strengthen Ukraine's reputation as an advanced maritime state with the highest standards of safety and efficiency in the field of shipping and logistics.

At this stage, the task is to analyze the main laws and regulatory documents in the field of the maritime transport complex of Ukraine and compare their provisions with existing global regulatory documents.

Identify the main hazards and risks to which workers in the maritime sector of Ukraine are exposed and determine the best ways to solve or minimize the likelihood of these problems.

The work uses general and special research methods, the choice of which determined the reliability of the results and conclusions: a systematic approach is pervasive, as it was used in the study of the object of scientific knowledge. The method of categorical analysis is chosen to study the categories «factor», «differentiation of factors of influence», «resource provision», «growth», «development»; classification method – for grouping elements of resource provision and concepts of public administration at the regional level; methods of abstraction, analysis and synthesis are used both individually and in combination in identifying research issues, as well as in describing achievements and unresolved issues methods of comparison and analogy – in studying the effectiveness of regulatory documents of the world and region as its territorial elements with further generalization of recommendations; grouping method – to organize the types of resource interests by groups of their carriers; inductive method – when summarizing the results of the study.

Key words: *safety culture; inclusive management; polysubject; maritime transport; public administration.*

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ПРОБЛЕМИ ДЕРЖАВНОГО УПРАВЛІННЯ МІЖНАРОДНОЮ ІНТЕГРАЦІЄЮ МОРСЬКОГО ТРАНСПОРТУ УКРАЇНИ

Актуальність роботи полягає в тому, що в сучасних умовах глобалізації світових ринків полісуб'єктність інфраструктури морського транспорту як така, а також на фоні викликів, що постають перед індустрією через глобальну пандемію, регулювання морського транспорту набуває особливої ваги.

На даний момент 90% світових вантажів транспортується морем, а це означає, що персонал, що працює в морській галузі, на суднах, в галузі морської інфраструктури, таких як порти, термінали, морські бурові установки, стають «ключовими працівниками», що забезпечують стабільність світової економіки завдяки їх професіоналізму, витривалості, а іноді і жертвам. Виходячи з вищесказаного, стає очевидним, що аналіз, виявлення та пошук рішень проблем інфраструктури морського транспорту України є важливим аспектом розвитку української економіки, а міжнародна інтеграція морського транспорту та інфраструктури України дозволить відновити та зміцнити репутацію України як передової морської держави з найвищими стандартами безпеки та ефективності у галузі судноплавства та логістики.

На цьому етапі постає завдання проаналізувати основні закони та нормативні документи у галузі морського транспортного комплексу України та порівняти їх положення з існуючими глобальними нормативними документами. Визначити основні небезпеки та ризики, яким піддаються працівники морського сектору України, та визначити найкращі шляхи вирішення або мінімізації ймовірності цих проблем.

У роботі використовуються загальні та спеціальні методи дослідження, вибір яких визначив достовірність результатів та висновків: систематичний підхід є всеохоплюючим, оскільки він застосовувався при вивченні об'єкта наукового пізнання. Метод категоріального аналізу обраний для вивчення категорій «фактор», «диференціація факторів впливу», «ресурсне забезпечення», «зростання», «розвиток»; метод класифікації – для групування елементів ресурсного забезпечення та концепції державного управління на регіональному рівні; методи абстрагування, аналізу та синтезу використовуються як окремо, так і в поєднанні при виявленні проблем дослідження, а також при описі досягнень та невирішених питань, методи порівняння та аналогії – при вивченні ефективності нормативних документів світу та регіону, як його територіальних елементів з подальшим узагальненням рекомендацій; метод групування – для організації видів ресурсних інтересів за групами їх носіїв; індуктивний метод – при підведенні результатів дослідження.

Ключові слова: *культура безпеки; інклюзивне управління; полісуб'єктність; морський транспорт; державне управління.*

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Постановка
проблеми

In the process of the study of public administration we consider it as social phenomenon and a state as a subject of social process management. If you will open any book about public administration, you can find a lot of information about management theories and how to apply their practice experience and history of this field of knowledge. Also, you can learn laws and mechanisms, organization and functional structure, styles of public administration, but on very first pages of any book you also can find the explanation why it's necessary to administrate all public processes. In accordance with these texts the main purpose of public administration is to ensure the performance of the laws and the implementation the policies of state which are must be aimed to:

1. Rational consumption of environmental, labor, information, etc. resources;
2. Equitable distribution of social wealth;
3. Guaranteeing safety of human, society, state;
4. Etc.

So, as we can understand there is objective set of functions that can be provided only by state.

In this article I want to focus on third point of the above, on safety of human. Obviously, it means not only the absence of criminal danger and military conflict risks, but safety of everyday life and work.

The main document which regulates rights and responsibilities of Ukrainian citizens at work in marine industry as in any other industry – it's the Code of Labor Laws. It contains main laws, regulations, procedures and instructions that relate to the conditions of work.

In the marine industry also present few international conventions which regulate the rules of licensing of marine specialists, watch keeping, environmental protection, safety of life at sea, etc. and required to implementation by the governments that ratified these conventions.

Main of them:

1. STCW
2. SOLAS
3. MARPOL

Beyond any doubt state laws, regulations and international conventions are relating to the safety issues, and aimed at reducing risks for life, health and equipment, but mostly they are explaining WHAT should we do, while not less important thing is HOW should we work.

Marine industry specificity.

In marine industry, where most jobs related to heavy machines, power tools, when during sailing in ocean shore services are unavailable and in case of emergency crew can count only on themselves, safety becomes

a cornerstone of success of their work and key to safe return to their families.

But, despite the understanding of risks accidents and incidents are still happens more often than we would like. Every 2 minutes in World Ocean another ship set on fire, oil spills damage the environment, malfunction of steering gears and propulsion plants endanger crews and ships. Unfortunately, in accordance with International Marine Transportation Singapore PTE Limited statistic human errors plays main role in majority of incidents in marine industry. Actually, the root cause of more than 75% of incidents it is human factor [1].

As we can see in accordance with this trend in few last decades, we can observe reducing the severity and frequency of incidents. It becomes possible due to improved equipment design, robust safety management systems, improved regulations, identification and implementation of best practices, incidents still continue to occur, sometimes with catastrophic consequences.

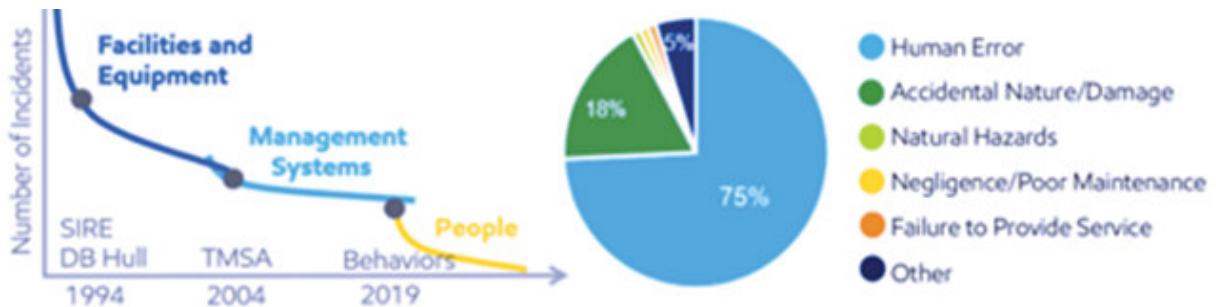
Analysis of main problems & ways to solve them.

Industry sectors attribute human error in approximately 80% of incidents [2]. This might lead us to think that people cause incidents. However, 80-90% of the time we find that mistakes, actions and decisions are driven by a variety of factors; how we design our work, equipment and control measures, and how leaders influence the culture in an organization. Nobody comes to work with intentions of making a mistake or getting hurt. Everybody comes to work to do a good and safe job. However, statistics reveal that human error is still the biggest cause leading to incidents.

Such things happen thanks to many factors, let's talk about main of them and think how to eliminate their negative influence or reduce it to acceptable level.

Fatigue, stress and boredom;

These feelings and emotions have a great impact on our physical condition and on almost all aspects of our lives. The states of stress and tension cause physiological chain reactions, which over time overload all body systems beyond what they can endure. A stressed person may experience various physiological symptoms, such as nervousness and anxiety, rapid pulse, difficulty sleeping, muscle healing, memory and memory disorders, digestive system disorders, headaches, nausea, pressure. Obviously, in these conditions persons cannot perform their duties safely and correctly. According to Art. 45 Constitutions of Ukraine everyone who works has the right to rest. Rest time is the period of time during which an employee is free from the performance of his / her duties and which he or she has the right to use at his discretion,



Pic. 1 Root causes of incidents timeline. Source: Global Claims Review: Liability in Focus, Allianz Global Corporate & Specialty

in accordance with legislation and local regulations. This right is guaranteed by giving days of weekly rest, as well as paid annual leave, setting a short working day for certain professions and industries, reduced working hours at night. Rest time is also provided by the Labor Code, namely:

- break for rest and food;
- weekend;
- holidays and non-working days;
- vacations (basic and additional).

Article 66 of the Labor Code of Ukraine provides for a break for rest and food. Workers are given a rest and meal break of no more than two hours. The break does not include working hours. A break and rest break should be given, usually four hours after the start of work. Marine industry is different from others by a large load and pressure on employees, that's why so important to ensure that every person well rested, ready to perform their duties and make decisions. Therefore, will be better if employees will have three breaks in a day, for example: 15 minutes at 10 o'clock, 1 hour for lunch and rest at 13 o'clock and 15 minutes at 15 o'clock as a «coffee time». [3] As for vacations now every employee have right for a vacation every year, it might be better if vacation will be mandatory for every person, because it's very common situation when employees works for several years without any vacation. Working conditions; According to Art. 4 Constitutions of Ukraine everyone who works is entitled to proper, safe and healthy working conditions.

The following groups of working conditions are distinguished:

- Sanitary-hygienic, defining the external subject environment (noise, lighting, microclimate), as well as sanitary services in the workplace;
- Psychophysiological, due to the specific content of labor activity, the size of the load on the motor apparatus, nervous system, psyche of the employee;
- Safety conditions due to the state of safety and the likelihood of injury;
- Aesthetic conditions, the impact of which determines the emotional mood and attitude to work from the position of artistic perception of reality;

Socio-psychological conditions

That characterize the relationship in the workforce, leadership style. It's hard to eliminate Sanitary-hygienic and Psychophysiological risks in marine industry and it is stay a dangerous facilities in any case. But paying attention to Aesthetic conditions it is an easiest way to improve working conditions, especially onboard of vessels. The presence of recreational areas, such as well-equipped wardrooms, swimming pools, gyms, and the availability of safe sports places on board, can greatly affect the psycho-emotional state of maritime workers. It is also important to fill the cabins with equipment for a good rest. That is, those things that reduce the feeling of an «iron box». The presence in the cabin of a TV, a refrigerator, even a good floor covering can significantly reduce stress and contribute to a good recovery of the employee between working periods. All these conditions and the procedure for their application are covered in MLC 2006 which is the Maritime Labour Convention (MLC) number 186, established in 2006. This convention is the fourth pillar of international maritime law and embodies

«all up-to-date standards of existing international maritime labour Conventions and Recommendations, as well as the fundamental principles to be found in other international labour Conventions». The other «pillars» are the SOLAS, STCW and MARPOL. The treaties applies to all ships entering the harbors of parties to the treaty (port states), as well as to all states flying the flag of state party (flag states, as of 2019: over 90 percent). Unfortunately, Ukraine has not ratified this convention and is not part of it, which is unacceptable for a maritime country that wants to compete on equal terms with other countries participating in the international maritime industry.

Design/availability of equipment or tools

The availability and free access to modern devices, tools and means of production is a natural need for any employee. Moreover, timely replacement and upgrade of production capacities is an important part of production and organization of labor. Unfortunately, the relevance of the equipment and its timely replacement is not regulated by the state, which leads to the absence of a constant dynamics of the turnover of fixed assets and a significant deterioration in money turnover, which in turn leads to the depreciation of not only production but also financial capital. Depreciation of financial capital is one of the most important reasons for the oppression of economic cycles to balance which the state has to make enormous efforts.

Professional knowledge and skills

Professional knowledge and skills, of course, are very important for the quality, effective and safe fulfillment by an employee of his duties. But any knowledge and skills tend to become obsolete over time, this also applies to issues related to security. For example, methods operating at one moment in time may be useless in the face of changed circumstances and under the influence of various external factors. That is why it is so important to remember that on the security issue there is no concept of «the best way» and you can always achieve better results if you think about what can be changed in this particular situation and how to make this work safer.

This shows us that knowledge in the field of security, just like any other professional skills, needs to be updated and reviewed in a timely manner. Rules, regulations and procedures;

As we said earlier rules, laws and procedures are mainly aimed at minimizing the number of accidents at work. But let's think about what will happen if the number of accidents becomes equal to zero? If we say that all security goals have been achieved, we will stop looking for ways to improve. Which again leads us to the fact that, against the backdrop of changing circumstances, methods working in the past at 100% may not be effective. That is why it is so important to realize that the laws, procedures and rules should not be aimed at reducing the number of accidents and accidents at work, but at the formation of a safety culture as a whole.

Workload and distraction

This question echoes the question of the employee's rest. Nowadays, workloads in any field of activity are increasing at a tremendous speed. So with the advent of new communication systems and Internet communications, the exchange of information between the ship and the shore has increased significantly. This made it possible to develop and install completely new high-precision automation and remote-control systems, but all of these

systems require fine-tuning of qualified service and repair requiring specialized devices and installation. Naturally, this entails an increase in workloads on the crews of the Courts as well as all marine workers in general. But this applies not only to physical stress, but also emotional and psychological. A huge amount of information that falls upon us today and requires timely and quick processing cannot but affect the emotional and mental state of the employee. All these factors together can have a huge negative impact on the efficiency and safety of the employee performing his job duties. In light of the above, it is not surprising that in recent years, the World Health Organization has recognized the syndrome of occupational burnout as a disease. Burnout and exhaustion is increasingly occurring due to work. In Japan, authorities are forced to impose administrative and even criminal penalties for death from processing. Even in China, they began to pay attention to it and punish it. In Europe, the processing of more than 20,020 hours per year at a work rate of 1,800 hours per year is prohibited by law and punishable by fines and the labor protection services and the trade union monitor it. In Japan, authorities are forced to impose administrative and even criminal penalties for death from processing. Labor protection services and trade unions monitor this. According to statistics, professional burnout is the cause of 50-60% of lost work days. In Australia, to cope with stress, 61% of people use alcohol; 41% go into gambling; 31 use drugs. In Ukraine, a total of up to 70% of the population are at risk when, according to statistics, they are depressed. As you can see the statistics are distinguishing. And she has a tendency to increase.

Shift patterns

Naturally, the sequence of working hours and rest is very important for the safe and high-quality performance of the employees. If all conditions are met, the worker is much less susceptible to stress, moral and physical exhaustion, which in turn leads to a safe and productive production process, the absence of compensation for damages and other financial costs.

Motivation and clarity of goals

Motivation at the moment is not the hottest topic in business. Opera marketing awards and rewards, a bunch of books on this topic have created the illusion that the topic is comprehensively considered and developed. But the basic understanding of motivation as some kind of hyperactive energy boost for employees is unrealistic and

mainly interferes with the correct identification and control of factors that affect the productivity of the workplace. Hyperactive energy boost for employees is unrealistic and basically interferes with the correct identification and control of factors. which affect workplace productivity.

Basically, people have three reasons to feel demotivated. First, people feel demotivated when they feel separated from leaders. This happens when they do not receive detailed information on time or do not have regular contact with leaders. The second main demotivator concerns control. An employee who feels that they are not being manipulated is difficult to be motivated. Control and trust are perceived as inversely proportional to things. Too much control is interpreted as a lack of trust in the employee and his ability to perform work safely. The third factor affecting employee motivation is feedback from the leader. The employee does not feel a reaction to the information provided, and does not see the point in responding to dangerous situations since all his reports are useless. He does not feel that he has been put into dangerous situations in the Lulu process, since all his reports are useless. He does not feel invested in the process of improving working conditions. Motivation is not the main goal of a safety program, but it is a tool without which it is impossible to achieve the highest level of production safety. Leadership, supervision and support; Implementing a culture in which safety is embodied and understood at all levels of the organization starts with leadership because a leader's actions directly impact organizational culture. A leader's response to mistakes directly impacts the culture of both learning and accountability. As mentioned earlier, the role of a leader is very important to any team. A leader is not only a person who says what needs to be done and sets goals. It is also the one who is obliged to support the team, adequately and explicitly respond to any signals coming from employees. Indeed, as we said earlier, it is precisely the lack of feedback that deprives workers of the desire to help and participate in strengthening the safety culture in the workplace. After all, it is the involvement of all members of the collective to process allows you to create a cohesive and effective team that can qualitatively and safely carry out the tasks and also find and apply new ways to improve and optimize work processes, which in turn leads to an increase an effective team is able to carry out assigned tasks efficiently and safely, as well as



Pic. 2. Most frequent causes of incidents. Source: Global Claims Review: Liability in Focus, Allianz Global Corporate & Specialty

find and apply new ways to improve and optimize work processes, which in turn leads to an increase in the turnover and profitability of production as a whole

Conclusions

And after considering all the factors affecting the safety of workers in the production process, well, we can think about what should be the government strategy for implementing a safety culture in the marine industry. Given the field, the subjectivity of the marine industry and the

inclusive management methods used in many of its fields, we can say that the concept of strategy is not entirely relevant for this rapidly changing and dynamic sphere of production. With constantly changing external factors, the developed strategy may become ineffective once, and therefore it is very important to be able to adapt the security strategy to the current conditions. In this case, the concept of strategizing becomes relevant. Businesses need strategies to capture shareholder market share and create competitive products for the consumer. Safety is also involved in capturing market share through workplace implementation. Security has relations with both shareholders and consumers, and the formation of a complete and comprehensive safety culture is possible only if the views of all market participants are consistent that safety is less about cost reduction and more about how it forms competitiveness there the product and improves the quality of life of consumers.

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