

ENCOURAGEMENT AS A METHOD OF MANAGING SOCIAL RELATIONS: APPLIED SIGNIFICANCE IN PUBLIC SERVICE

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Abstract. The *subject* of the study is the conceptual, theoretical and methodological basis for the use of incentives as a method of management of social relations in general, and in the public service, in particular. *Methodology:* general and special methods of scientific knowledge were used in this study. The method of comparison was used to summarize the approaches of various researchers on the main dominants to the definition of the concepts of "method", "method of encouragement", "formal and informal techniques that constitute the content of the method of encouragement". The analysis was used to determine quantitative and qualitative parameters that characterize the specifics of the influence of the method of encouragement on public service relations. The *results* of the study have shown that in Ukraine, there is an urgent need to reassess the methods of public relations management with an emphasis on methods of a dispositive nature. *Conclusion.* An argumentation is offered regarding the distinction between encouragement as a "method of regulating relations in the public service" and as an "institution of encouragement in the public service". Formalized informal ways that cover the method of encouragement in public service are analyzed. It is established that the issue of informal ways of the method of encouragement in the public service has formed in connection with non-material variations of motivation of civil servants. The advantages of informal methods of method of encouragement in public service are revealed. The properties of the methods of proper regulation of public relations (public administration) are identified. It is noted that the content of each method is determined by the following features: the nature of relations between the participants of public interaction; techniques and means that are used (can be used) in the process of regulating influence; motivation that provides necessary/desirable behavior of a private person or authorized subject, acting as a subordination party or one of the parties of coordination interaction. It is argued the thesis that encouragement as a "method of regulation of public-service relations" is not identical to "institution of encouragement in public service". Formalized informal ways that encompass the method of encouragement in public service are analyzed. It has been established that the problem of informal ways of method of encouragement in public service has formed because of non-material variations in motivation of public servants. The advantages of informal ways of method of encouragement in public service are revealed.

Key words: method, public administration, encouragement, public service, public servant, Ukraine.

JEL Classification: C49, H83, H19

1. Introduction

Regulation of public relations is dialectically closely connected with their evolution. The choice of method of influence within the framework of relations regulated by the norms of public law is not spontaneous. At the same time, long-term use in related areas, positive international experience, the need to improve and complement existing regulators mediate the

transfer of social methods of influence in the public-law sphere. The accent in the interaction of public authorities with private subjects changes from the overwhelming imperative to the expanded discretion, from the predominant use of the method of coercion to the method of persuasion. That is, to implement an effective and efficient regulatory mechanism of ordering public relations arising in the public-law sphere, in

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addition to common elements, new methods and means used in these relations must be taken into account. First of all, it is about the method of encouragement with its praxeological expression in public service. The issue of methods of activity of public authorities is becoming increasingly relevant in connection with the formation of Ukraine as a country with a market economy and radical changes in the mechanism of public administration (Bila-Tiunova, Neugodnikov, Danylenko, 2019; Bila-Tiunova, Bilous-Osin, Kozachuk, Vasylkivska, 2019; Sanjay, 2017) and, accordingly, in the organizational and legal status of the subjects of its implementation, as well as objects for which it is carried out (for example, decentralization of power, development of contractual relations in the activities of public administration, denationalization of the economy) (Kolpakov, Kuzmenko, 2013: 720).

The value of the study of encouragement as a method of managing public relations in general and public relations in the sphere of public service in particular is further justified by: a) the trends of public service reform enshrined at the international (Recommendation on Leadership and Public Service Capacity, 2019) and national levels (Strategy for Public Administration Reform in Ukraine for 2022–2025, 2021); b) the need to form a profile of a new type of public servant. The latter includes the observance of official discipline by civil servants, which can be ensured, among other things, by the method of encouragement.

This demonstrates the importance of analyzing the legal and applied principles of the incentive method and the peculiarities of its application to optimize public service.

2. The dialectic of determining the method of public relations management

In general, the method is understood as a way of a certain activity, its organization and achievement of results. Accordingly, the methods of proper regulation of public relations should be understood as means and techniques of direct and purposeful impact of subjects of public administration on certain objects of management, in other words – specific public relations. In legal science there is no single point of view regarding the definition of the concept of "method", they are systematized in Table 1. Approaches to the definition of the category "methods of public administration".

Thus, the essence of ordering methods, depending on the chosen approach, will reflect the purpose of the impact, but in any case will be disclosed through the management techniques and methods of activity (impact on the controlled or controllable object).

An appeal to the theoretical developments of domestic scientists in the field of public administration and administrative law gives grounds to highlight the following features of methods of management of social relations (public administration):

- 1) they express public interest;
- 2) the purpose of public administration methods usage and their applied value is to ensure public administration itself;
- 2) methods are manifested in the process of public administration implementation, expressing the regulating influence of public administration on various social relations;
- 3) reflect the nature of the relationship between the subjects of public administration and the subjects on which power-organizing influence is directed;
- 4) receive external expression through the forms of public administration, providing each administrative act, contract (etc.) with qualitative and stylistic content, without being fully exhausted by any of the forms;
- 5) is a means of implementing the competence of public administration subjects;
- 6) are mainly used based on variability;
- 7) the content of influence in each specific case depends on the specifics of the object, concerning which the method of public administration is applied;
- 8) have a specific nature of influence on objects of administration, i.e. they can exert both direct (administrative penalty measures) or indirect effects (restrictions on the rights of civil servants, encouragements, etc.).

Therefore, methods of public administration should be defined as ways and means of regulatory impact of subjects of public administration on the behavior of other (mainly subordinate) authorized subjects and private individuals, which are designed to ensure compliance of their activities with legislative requirements, the stable development of the entire sphere of public relations, safety and implementation of public interests.

It should be noted that the doctrine of administrative law emphasizes the close connection of methods of state-authoritative activity with other elements of administrative regulation, namely:

- a) forms of public administration. As already mentioned, methods are reflected in the forms of public administration. Without the forms of public administration methods would lose their essence, because it would be impossible to implement them in practice. In this case, the methods of public administration are specific means and methods of direct and purposeful impact on specific objects, and the form is the external manifestation of specific actions carried out by the subjects of public administration to implement the tasks assigned to them (Bytiak, 2005: 438). Thus, on the one hand, forms and methods are interdependent and in constant

development. In comparison with the forms of public administration, methods have a lesser degree of normative regulation. It seems erroneous to consider methods of public administration exclusively as a secondary category in relation to the forms.

b) instruments of public administration, which in general are the result of a combination of forms and methods and mean the way of external expression of power-regulatory impact of the subjects of public administration, carried out within the legally defined limits of competence in order to achieve the desired social result (Yakovliev, 2016: 158; Halunko, Pravotorova 2021: 204). At the same time, the introduction and use of the category "instruments of public administration" is the result of updating the conceptual and categorical apparatus of administrative and legal science (Melnik, 2018), along with which the study of methods of public administration does not lose its relevance as a category that allows to distinguish public administration among other types of activities. In this connection, it is logical to consider the methodological component of public administration as an independent element. Along with this, methods can be considered as part of public administration tools (Halunko, Pravotorova 2021: 204). But thereby not losing its independence and applied meaning;

c) functions of public administration. On this occasion O.D. Krupchan (2012: 258–259) notes that if state authority is a form of legal mediation of functions, whereas methods are more related to their practical implementation. Understanding methods as methods of implementation of organizational impact in the relationship between subjects and objects of public administration, the style of managerial activity also adjoins to the methods. But not as personal, individualized features of personnel management activity, but as a set of means of activity, which is a separate manifestation of a more general phenomenon – methods of public administration. Expressing the qualitative side of the implementation of management functions, methods – by analogy with functions – are directly related to the state-authoritative powers corresponding to these functions. This, so to speak, competent peculiarity of methods emphasizes, first of all, the generality (relative to the functions) of the basic requirements for their legal regulation and, consequently, for its improvement. As a result, the methods implement the functions and objectives of public administration, the rights and freedoms of man and citizen, as well as to ensure the legitimate interests of legal persons.

So, summing up, it is worth noting that the category of public administration methods is closely related to other components of public administration activity, such as purpose, functions, forms, tools. All of the above indicates the multidimensionality of the

concept under study. At the same time, the allocation of methods as an independent element has an important applied value, as it allows us to study the qualitative features of the activities of public authorities.

It is important to note that in the scientific literature the term "methods of public administration" is used as synonyms with others, in particular: "administrative and legal methods", "methods of implementation of power-management actions", "methods of management", "methods of public-power activity". In fact, the essence of these categories remains largely unchanged. It should be borne in mind that the term "administrative and legal methods" usually refers to methods of administrative law or methods of administrative and legal regulation, which are not identical in their content to the methods of public administration.

Methods of administrative law and methods of administrative-legal regulation should be different from the methods of public administration. The former are independent legal, rather than administrative categories. Their essence comes down to the mechanism of legal regulation (one for all branches of law) (Yurovska, 2017; 190). The differences lie in the fact that the methods of administrative-legal regulation apply to all participants of public relations, both to public administration bodies and to private individuals.

The choice of one or another method of management of social relations depends on many factors: the competence and powers of the state body or official, the specifics of the object of management, the goals and functions of public administration. Also the use of a certain arsenal of methods of power and administrative influence, given the nature of this activity, must necessarily comply with the principle of legality, as well as be the most effective to achieve the purpose for which it is used.

The content of each method is determined by the following features:

- 1) the nature of the relationship between the participants of public interaction;
- 2) techniques and means that are used (can be used) in the process of regulatory influence;
- 3) motivation, which ensures the necessary/desired behaviour of a private person or an authorized entity acting as a subordinate party of subordination or one of the parties of coordination interaction.

Therefore, the essence of the method is manifested both in the will of the authorized subject in relation to other subordinate participants of legal relations, and in the nature of the will.

Thus, it was found that the methods of proper organization of public relations are a complex and multifaceted construction that expresses the substantive essence of public administration. At that, methods of public administration can change, and their combination can change. So, new types of

public administration methods may be introduced by legislation and obsolete ones may be cancelled.

3. Encouragement as a method of regulating social relations

The variability of methods generates different gradations of their types and systematization. Depending on the form of expression, methods are divided into: legal (contained in normative and individual legal acts and entailing legal consequences) and non-legal (characterized by the implementation by an authorized subject of certain organizational actions (meetings, briefings, etc.)) (Nahaiev, 2018: 175; Kovalenko, 2012; 702).

Depending on the degree of consideration in the power impact of interests there are types of methods: administrative – based on the use of objective organizational relations between people and general organizational principles of management; economic – monetary and financial policy, tax policy, impact on market pricing, economic stimulation, etc.; legal – legal impact on the social and legal sphere and its individual elements (Chernov, Voronkova, Banakha, et al., 2016: 24).

According to the content characteristics are considered groups of methods: legal regulation, organizational-administrative (administrative), economic, socio-political, socio-psychological and moral-ethical, which in turn are also divided into types (Dziundziuk, Meltiukhova, Fomitska, 2011: 102).

For the purposes of allocation of the method of encouragement in the system of methods of regulation of social relations, the classification will be of practical importance:

- 1) depending on the degree of use in the managerial impact of the legal obligation of the authority of the subject of management to: direct (unambiguously binding impact; lack of choice of options for action; faster and more reliable result; exclusion of positive initiative; the need for prompt adjustment; complex procedures of application); indirect (indirect impact on the will; multivariate actions and the possibility of discretion; promotion of the activity of private individuals; delayed and not unconditionally guaranteed result; do not require regular administrative intervention) (Averianov, Andriiko, Bytiak ta in., 207: 299; Bilokur, Khamkhodera, Avdieiev, 2019: 142);
- 2) depending on the nature of their influence on the will and behaviour of individuals (otherwise, on the motivational means used): persuasion, encouragement, coercion (Zhuravel, 2020: 82).

The method of encouragement involves a set of techniques of state-authoritative influence on authorized subjects, aimed at creating favorable conditions that motivate subjects of administrative-legal relations to perform certain actions, useful from

the point of view of society and the state, by creating interest in obtaining additional benefits, which are simultaneously an incentive for socially active legal behavior (Kozachuk, 2010).

In the special literature, the method of encouragement is often not allocated as an independent method, but is disclosed within the method of persuasion. At the same time, greater emphasis should be placed on the impossibility of equating encouragement with persuasion, since these methods have a number of distinctive features:

- 1) the actual basis for encouragement is a merit or action that is positively evaluated by the subjects of power;
- 2) encouragement (as a single act) is related to the assessment of actions already taken;
- 3) the encouragement is personalized, it is applied to certain individual or collective subjects;
- 4) encouragement is manifested in moral approval, granting of rights, privileges, material values and other benefits.

4. The use of the method of encouragement in the management of social relations

Encouragement as a "method of management of public relations" is not the same as the "institution of encouragement in public service". At the same time, the actual implementation of methods of regulation of public-service relations aimed at creating favorable conditions for public service and incentives for public servants to qualitative performance of state or local self-government functions includes established methods of influence that have a normative basis. Thus, the concept of "method of encouragement" is broader than the concept of "means of encouragement", because the method is the approach to the regulation of public-service relations, and the means can be both formally established and material, and have an informal non-material nature.

Regarding the formalized methods that cover the method of incentives in public service, we note the following. First, the importance of this method is indicated in the international standards of public service (On the protection of the right to organization and procedures for determining the conditions of employment in the public service, 1978; On the equal remuneration of men and women for work of equal value, 1951). Second, the national legislation provides for specific methods of encouragement (On the state service, 2015). These include: the announcement of gratitude (noted employees of ministries, other central committees, enterprises, institutions, organizations under their control, military personnel and employees of military formations, rank and file, employees of state law enforcement agencies); awarding a diploma, certificate of merit, other departmental awards of the

state body (Regulations on Departmental Encouragement Awards, 2012); awarding with government awards and recognition with a government award (Some issues of the introduction of encouragement awards of the Prime Minister of Ukraine, 2000); state awards (state awards are the highest form of rewarding citizens for outstanding achievements in the development of the economy, science, culture, social sphere, defense of the Fatherland, the protection of constitutional rights and freedoms, nation-building and social activities, for other services to Ukraine. They are determined only by the laws of Ukraine. The state awards are: 1) the title of Hero of Ukraine – the highest degree of distinction in Ukraine, which is awarded for a remarkable heroic deed or remarkable labour achievement; 2) Order: Freedom; Prince Yaroslav the Wise I, II, III, IV, V degrees; "For merit" of the I, II, III degrees; Bohdan Khmelnytskyi I, II, III degrees; Heroes of the Heavenly Hundred; "For Courage" I, II, III degrees; Princess Olga I, II, III degree; Daniel of Galicia; "For valiant mining work" I, II, III degree); 3) medal: "For military service"; "For impeccable service" of the 1st, 2nd, 3rd degrees; "Defender of the Fatherland"; "For a saved life"; 4) "Named Firearm" award; 5) honorary title of Ukraine; 6) State Prize of Ukraine: Taras Shevchenko National Prize of Ukraine; State Prize of Ukraine in the field of science and technology; State Award of Ukraine in the field of architecture; State Prize of Ukraine named after Oleksandr Dovzhenko; State Prize of Ukraine in the field of education; 7) presidential award (Bila-Tiunova, 2020: 385).

It should be noted that such formal ways of encouragement are observed in the practice of different states, for example, in the Czech Republic, the official body may give a public servant award for excellent service in the form of a written appreciation, which is recorded in the personal file of a public servant, material gift, the value of which may not exceed 5000 for one calendar year (On the Service of Civil Servants in Administrative Institutions and on the Remuneration of Civil Servants and Other Employees of Administrative Institutions [on Service], 2002).

Specification of formal ways of the method of encouragement is additionally carried out at the level of the type of public service. For example, methods of encouraging police officers include: early removal of disciplinary action, provision of additional paid leave lasting up to five days, entry on the board of honour, early assignment of the next special rank, encouragement with a monetary reward, encouragement with the departmental encouragement award of the Ministry of Internal Affairs of Ukraine "Firearms", encouragement with departmental encouragement awards of the National Police of Ukraine, encouragement with a valuable gift, assignment of a special

title, one degree higher than the rank provided for by the full-time position held, encouragement with departmental encouragement awards of the Ministry of Internal Affairs of Ukraine, encouragement with departmental encouragement award of the Ministry of Internal Affairs of Ukraine "Cold weapon" (About the National Police, 2015; Disciplinary Statute of the National Police of Ukraine, 2018; Regulations on Encouragements in the National Police of Ukraine, 2019). As can be seen, the variability of the application of incentives in accordance with the current national legislation is wide enough. The choice of the latter is based on the analysis of the professional qualities of an employee of the National Police of Ukraine, the results of his service activity, the degree of service activity, initiative, as well as the state of compliance with the service discipline. The cumulative evaluation of the above criteria allows the immediate supervisor of such a person to form a proposal for encouragement (award letter).

The question of informal methods of incentive method in public service arose in connection with non-material variations in the motivation of public servants.

The need to focus on non-material motivation is particularly acute during the financial crisis, the growing negative trend toward so-called "sham" wage increases (salaries), which are often effectively negated by tax increases, and the lack of adequate replenishment of bonus funds, which could serve as a real interest of civil servants in the results of their hard work. In general, the above factors significantly reduce the impact of economic (material) incentives and motivation of civil servants.

As for intangible motivation, this is a factor that can eliminate purely mechanical service ("work for the sake of work") and contribute directly to its effectiveness, quality and efficiency. A properly motivated civil servant often shows initiative, is not afraid to take responsibility, strives to carry out the provisions of his job description in full and with the least amount of time and money, and is able to produce original ideas or mechanisms for improving his work, because he directly understands better in practice how to make such improvement not just declarative.

Informal methods of incentive method in regulating public-service relations will be: a) involvement of public servants in the process of discussion and direct decision-making in those areas and issues where it is possible and expedient (addressing certain issues of organizational, information and technical and logistical support); b) public recognition (e.g., by publishing on the official website of a government agency or announcing a "Best Employee" or "Board of Honor," where it is appropriate to recognize the best public servants for a certain period of time, indicating the results of their hard work); c) verbal

praise, which contributes to the formation of authority among colleagues and may be carried out not only individually, but also in the course of meetings or general meetings of the team (for example, setting a public servant as an example to colleagues and delegating him to represent his unit, department or staff in other structural units of the same body or another state body, local government); d) professional training, vocational training and retraining, trainings, seminars, refresher courses and their participation in the preparation of various kinds of projects, which are optional.

Thus, non-material ways of organizing public-service relations, which make up the method of encouragement, can not only save the State Budget of Ukraine, but also motivate civil servants to high-quality, effective and productive work. Consider it expedient in the process of urgent reform and improvement of the institute of public service to introduce the practice of fixing at least some of the above non-material methods of motivation at the level of subordinate normative legal acts.

5. Conclusions

The article deals with the principles of the use of encouragement as a method of public relations. The properties of the methods of proper regulation of public relations (public administration) are highlighted. It is noted that the content of each method is determined by the following features: the nature of the relationship between the participants of social interaction; techniques and means that are used

(can be used) in the process of regulatory impact; motivation that provides the necessary/desirable behavior of a private person or authorized subject, acting as a subordinate party or one of the parties of coordination interaction.

It is argued that the methods of proper regulation of social relations are a complex and multifaceted construction that expresses the substantive essence of public administration. At that, methods of public administration can change, and their combination can vary. Thus, new types of public administration methods can be introduced by legislation and obsolete ones can be cancelled.

For the purposes of identifying the method of encouragement in the system of methods of management of social relations as a classification of methods were chosen: a) depending on the degree of use in the managerial impact of legally binding powers of the subject of management; b) depending on the nature of their influence on the will and behavior of individuals (otherwise, on the used motivational means).

It is argued the thesis that encouragement as a "method of regulation of relations in public service" is not identical to the "institution of encouragement in public service". Formally enshrined informal ways that encompass the method of encouragement in public service are analyzed. It is established that the problem of informal methods of method of encouragement in public service has formed because of non-material variations in the motivation of civil servants. The advantages of informal ways of method of encouragement in public service were revealed.

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