

Studia commercialia Bratislavensia

Vedecký časopis Obchodnej fakulty Ekonomickej univerzity v Bratislave

Scientific Journal of Faculty of Commerce, University of Economics in Bratislava

Číslo/No.: 38 (2/2017), Ročník/Volume: 10

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Scientific Journal of Faculty of Commerce, University of Economics in Bratislava

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Vydáva (*Published by*)

Obchodná fakulta Ekonomickej univerzity v Bratislave, Dolnozemska cesta 1, 852 35 Bratislava, IČO 00399957

Počet výtlačkov (*Impression*): 70 ks (*pcs.*)

Číslo 38 (2/2017) bolo vydané v mesiaci December 2017.

No. 38 (2/2017) was edited and published in December 2017.

Registračné číslo (*Registration No.*): MK SR EV 2697/08

ISSN 1337-7493

ISSN (online) 1339-3081

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Bratislava: Vydavateľstvo Ekonóm. 208 s. 252

Alica Lacková

Organization and Planning of Corporate Education in the Czech Republic

Zdeněk Caha¹

Abstract

The aim of this paper was to determine by means of a questionnaire survey to what extent large and medium-sized companies in the Czech Republic apply a systematic approach to education. This is, amongst other things, dependent on the existence of long-term and annual education plans and on whether the education is organized systematically by a personnel department or by a dedicated staff department focused on education. Two hypotheses were set. The first, that in at least 70 % of large companies and 50 % of medium-sized company education is organized by a personnel department or a separate staff department focused on education. The second, that at least 70 % of large companies and 50 % of medium-sized companies have a long-term education plan, including an annual education plan, in place. Although neither of the hypotheses were confirmed, it was proven that large companies approach the issue of corporate education in a more systematic way than medium-sized ones.

Key words

Corporate education, companies, planning, Czech Republic

JEL Classification: M53, M12

Introduction

Effective and systematic corporate education, as a part of overall company strategy, has been shown to be a key aspect in maintaining competitiveness in the current knowledge economy. The aim of this paper was to determine by means of a questionnaire survey to what extent large and medium-sized companies in the Czech Republic apply a systematic approach to education. This is, amongst other things, dependent on the existence of long-term and annual education plans and whether the education is organized systematically by a personnel department or by a dedicated staff department focused on education.

The following two hypotheses were formulated and tested by means of mathematical-statistical methods to confirm or refute them:

H1 In at least 70 % of large companies and 50 % of medium-sized company education is organized by a personnel department or a separate staff department focused on education.

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H2 At least 70 % of large companies and 50 % of medium-sized companies have a long-term education plan, including an annual education plan, in place.

Literature review

According to Armstrong (2014), strategic education and development, like strategic HR management, plays a key role in the achievement of an organization's success. Employees are without a doubt one of the most important resources a company possesses when it comes to generating potential competitive advantage. It is therefore important to educate and develop employees systematically and effectively (Blahuš, 2011). Bencsik and Sólyom (2011) also claim that the more a company is able to maintain, develop and utilize the knowledge of its employees the more it is able to achieve business success, as knowledge becomes a resource of long-term competitiveness and an advantage from the business strategy point of view. Koubek (2015) states that the education of employees in an organization is the most effective if it has a cyclical character, is based on the education strategy and policy of the organization and is in compliance with the overall strategy of the organization. The basic cycle for the systematic education of employees within an organization consists of the identification of the need for education, planning of the education, implementation of the education process, and an assessment of the education programme's results and effectiveness. Němec (2014) claims that the systematic education of employees and the conceptual planning and management of their careers supports the achievement of an organization's strategic goals and contributes to the long-term competitiveness of a company. Similarly, Barták (2011) underlines the importance of the strategic planning of corporate education by claiming that the cost of education should represent a profitable investment, which is why education planning should be based on an analysis of the present situation. The future needs and demands for individual work positions. According to Hroník (2017), the presence of development and education specialists is an indication of a strategic approach, particularly in large and medium-sized companies.

According to the results of an international survey conducted in 2010 (ČSÚ 2013), less than a third of companies reported having written education plans or similar education programmes, and less than half reported having an allocated budget for such activities. Estimations made by the International Labour Organization (2011) show that a 1% increase in the number of days spent on education leads to a productivity increase of 3% in a company. Quality training enables people to develop their capacities and to exploit social opportunities, as well as improves the productivity of employees and company to contribute the future strengthening of innovation and development, and encourages domestic as well as international investments. In doing so, it creates jobs, reduces unemployment, leads to higher levels of pay and reduces social inequality. Collier, et al., (2011) claim to the basis of their own research, that companies that systematically educate their employees have a 13 % higher probability that they will survive. They go on to say that more research is required into the long-term impact of education or human capital on a company's overall performance. Kitching and Blackburn (2002) confirm the positive impact of a strategic approach to education. Korenková (2014) is convinced that a the people who help the company distinguish itself from others. It is the employees who determine whether a company will be successful or not through their

active and creative approach to innovation and to customers themselves. Support for education is therefore crucial for maintaining competitiveness. Staff education and development should be a part of overall company strategy and policy, and it should be a coherent and systematic process. Korenková (2014) goes on to state that large companies prefer an active and systematic approach to education, whereas a random approach prevails in medium-sized companies and a passive approach in small companies. To a large extent this depends on the funds available. Small companies mostly invest into innovation and improvements in technologies and leave education to the employees themselves. Tej, Sláviková and Hrvolová (2010) divided companies into three categories according to their approach to education, namely companies without an education strategy, companies with a non-systemic strategy and companies with a positive systemic strategy. They hold the view that companies achieve competitive advantages through their employees. Although the effectiveness of the money invested into education is often difficult to enumerate, education is an investment that certainly pays off for companies. Cagáňová, et al., (2014) characterize the orientation of companies active in the field of education and employee development in Slovakia and present the results of research conducted in 340 companies in 2012. The education and comprehensive approach to the education are the characteristics of an innovative organization. They conclude that organizations should become so-called „learning companies” with the aim of achieving permanent education focused on the improvement of performance not only on a short-term basis, but also on a long-term one.

1 Methodology of the statistical processing

The questionnaire survey was conducted among companies in the Czech Republic during the second half of 2017. In total, completed questionnaires were received from 164 medium-sized companies (50-249 employees) and 123 large companies (250 or more employees).

In the first phase of the assessment, a table was prepared with the absolute and relative frequencies of the companies according to their approach to the education of employees. The result of the interval estimation was prepared. This interval estimation represents the real proportion of companies that organize education through a personnel department or a separate staff department focused on education with a confidence level of 95%. In this way, it was possible to ascertain within what limits the real value of this proportion could fluctuate.

In the second phase, tables were prepared of the absolute and relative frequencies of the companies according to whether they do or do not have a long-term education plan. On this basis, the answers „yes” and „yes, but it is not adhered to” were combined into one answer „yes”. The answer „no” was automatically assigned to those companies that did not respond to the question at all. From the frequencies obtained in this way, a 95% interval estimation was prepared which represents the real proportion of companies with a long-term education plan.

In the third phase, we analogically copied the processing procedure for the question dealing with annual education plans. We examined the real proportion of companies that have an annual education plan in place.

The tables were prepared in MS Excel, and the interval estimations by means of R statistical software.

The results of the statistical processing

a) The frequency of companies that organize education through a personnel department or a separate staff department focused on education.

Table 1 Responsibility for organizing corporate education – absolute numbers

Company size	Responsibility for organizing corporate education			
	Non-systematic	Owner/manager	Staff department	Total
Medium-sized	22	83	59	164
Large	16	16	91	123

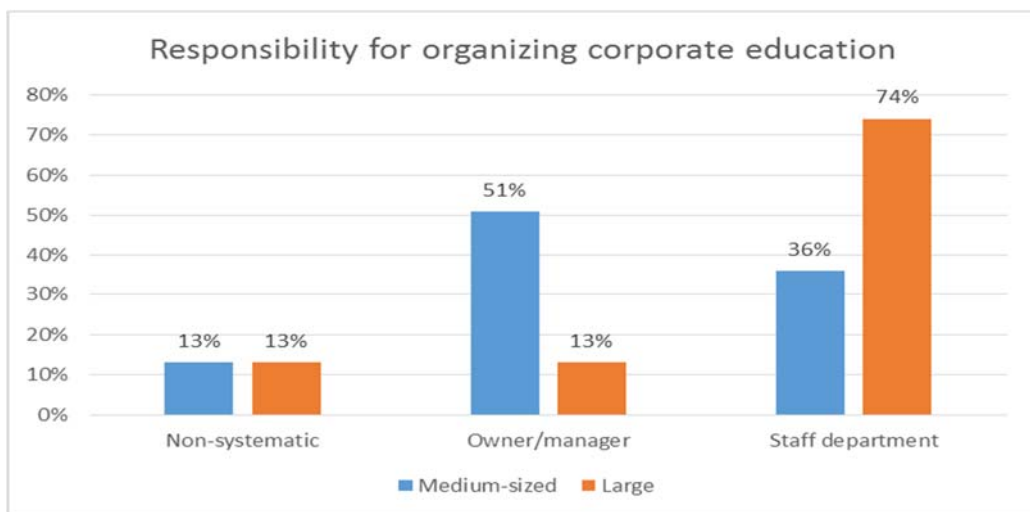
Source: author

Table 2 Responsibility for organizing corporate education – relative numbers

Company size	Responsibility for organizing corporate education		
	Non-systematic	Owner/manager	Staff department
Medium-sized	13 %	51 %	36 %
Large	13 %	13 %	74 %

Source: author

Graph 1 Responsibility for organizing corporate education



Source: author

Table 3 Interval estimations

Company size	Interval estimation
Medium-sized	(0.290; 0.436)
Large	(0.656; 0.809)

Source: author

The results show that the proportion of companies that organize education through a personnel department or a separate staff department focused on education is significantly lower among the medium-sized companies (36) compared to the large companies (74 %). The interval estimation indicates that the real proportion of companies should fluctuate between 29 – 44 % for the medium-sized companies and between 65 – 81 % for the large companies after rounding.

b) The frequency of companies that have a long-term education plan in place

Table 4 Long-term education plan in place – absolute numbers

Company size	The company has a long-term education plan in place		
	No	Yes	Total
Medium-sized	75	89	164
Large	34	89	123

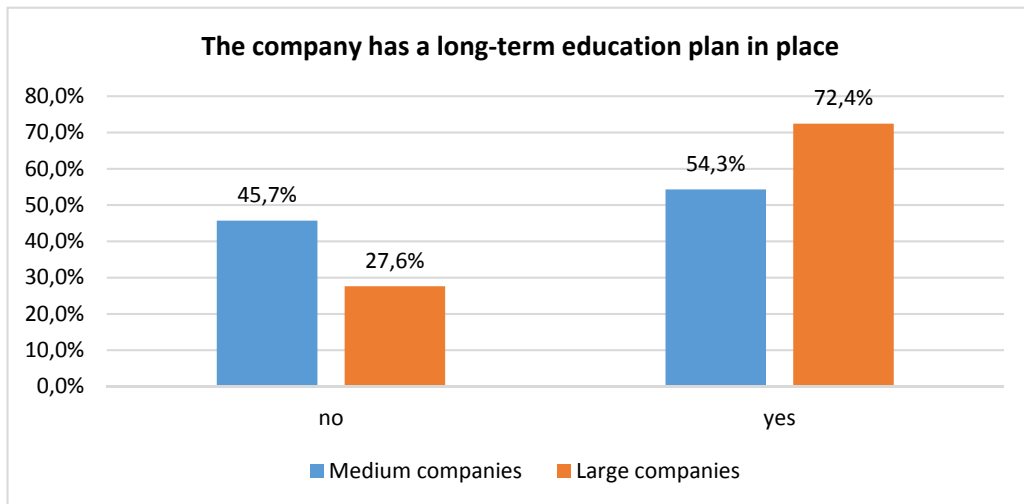
Source: author

Table 5 Long-term education plan in place – relative numbers

Company size	The company has a long-term education plan in place	
	No	Yes
Medium-sized	45.7 %	54.3 %
Large	27.6 %	72.4 %

Source: author

Graph 2 Long-term education plan in place



Source: author

Table 6 Interval estimations for the real proportion of long-term education plans in place

Company size	Interval estimation
Medium-sized	(0.466; 0.617)
Large	(0.639; 0.795)

Source: author

The proportion of medium-sized companies (54.3 %) that have a long-term education plan in place is significantly lower than for large companies (72.4 %). A closer look at the interval estimations reveals no overlap at all. This means that the difference in the frequency of companies that have a long-term education plan is statistically significant. The real proportion of companies that have a long-term education plan in place can be expected to be between 47 – 62 % for the medium-sized companies and between 64 – 80 % for the large companies after rounding.

c) The frequency of companies that have an annual education plan in place

Table 7 Annual education plan in place – absolute numbers

Company size	The company has an annual education plan in place		
	No	Yes	Total
Medium-sized	91	73	164
Large	108	15	123

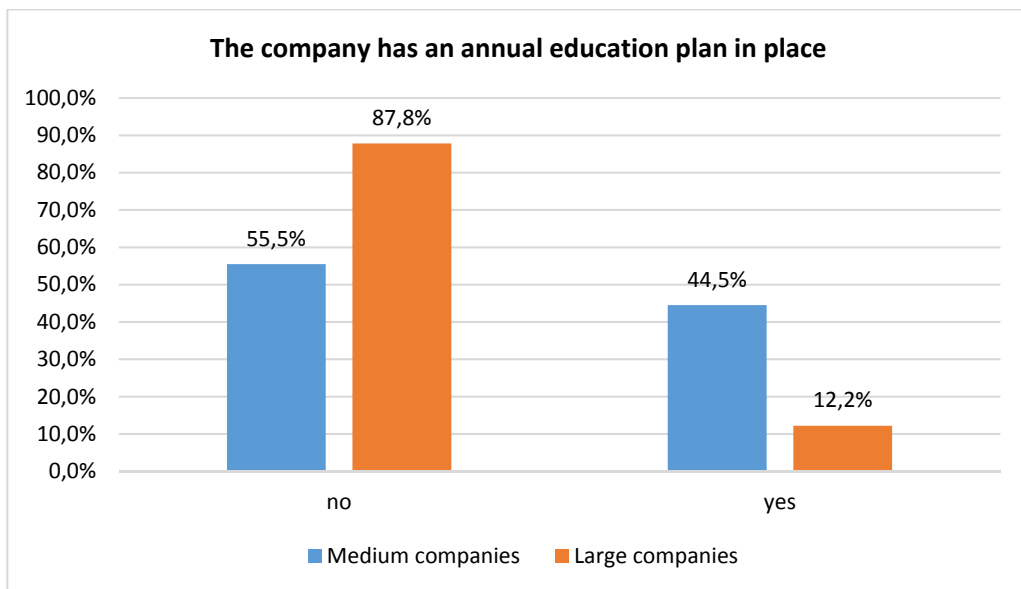
Source: author

Table 8 Annual education plan in place – absolute numbers

Company size	The company has an annual education plan in place	
	No	Yes
Medium-sized	55.5 %	44.5 %
Large	87.8 %	12.2 %

Source: author

Graph 3 Annual education plan in place



Source: author

Table 9 Interval estimations for the real proportion of annual education plans in place

Company size	Interval estimation
Medium-sized	(0.478; 0.629)
Large	(0.809; 0.925)

Source: author

The difference between medium-sized and large companies is even higher with regards to annual education plans. The proportion of medium-sized companies with an annual education plan is 55.5 %, while the interval estimation indicates a real proportion between 48 – 63 % after rounding. In comparison, the proportion ascertained for large companies is 87.8 %, while the interval estimation was between 81 – 93 %. The two intervals do not overlap and there is a difference of 18% between the upper and lower limits of the interval estimation. This suggests that the real difference is probably even higher.

2 Results and Discussion

The results show that the proportion of companies that organize education through a personnel department or a separate staff department focused on education was significantly lower among medium-sized companies compared to large companies. The interval estimation indicated that the real proportion of companies should have fluctuated between 29 – 44 % for the medium-sized companies and between 65 – 81 % for the large companies.

The results of the questionnaire survey revealed that 13% of the medium-sized companies, and the same percentage of the large companies, do not organize education systematically within one department, and that in more than half (51 %) of medium-sized companies, the responsibility for education lies in the hands of the owner/head of the company.

The research also proved that the systematic long-term planning of education in medium-sized companies (54.3 %) is significantly lower than in large companies (72.4 %). The interval estimations showed that the difference in the frequency of companies that have a long-term education plan in place is statistically significant. These proportions were between 47 – 62 % for the medium-sized companies and between 64 – 80 % for the large companies.

The difference between the medium-sized and large companies was even more remarkable in terms of annual education plans. The proportion of medium-sized companies with an annual education plan in place was 55.5 %, whilst interval estimation indicated a real proportion of between 48 – 63 %. In comparison, the figure for large companies was 87.8 %, whilst the interval estimation indicated a proportion of between 81 – 93 %.

Despite to the fact that the set of the hypotheses were refuted to the results of the research show that significant differences exist between large and medium-sized companies for most of the monitored aspects. In general, it can be concluded that a relatively high percentage of companies especially medium-sized do not plan their corporate educational needs on either a long-term or short-term basis. This shows that these companies do not take a systematic approach to corporate education for their employees and do not perceive it to be a key personnel activity, which in turn may significantly influence their company's performance and competitiveness.

Further research should focus on identifying the facts why a relatively large number of companies do not deal with corporate education systematically.

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Dohoda o skončení pracovného pomeru z hľadiska podstatných náležitostí

Dušan Holub¹

Agreement on termination of employment in terms of essential requirements

Abstract

The contribution analyzes the employment termination agreement, at first glance, the simplest way to terminate the employment relationship on the basis of well-established case-law, pointing to possible application problems that cause the termination of the employment relationship to become invalid. The termination agreement appears to be seamless, but in practice there may be several situations that cause this bilateral act to be null and void, or give rise to an employee's entitlement to withdraw from the termination agreement. An employment termination agreement appears to be the most acceptable way of terminating an employment relationship, but it is not always concluded for the reasons stated therein or is not concluded on the basis of the employee's free will.

Key words

Termination of employment contract, formalities for the legal act, invalidity of the termination agreement, termination of the employment relationship, case law

JEL Classification: K 39

Úvod

Výkon závislej práce, jej zmena a skončenie, sú významnou oblasťou pracovno-právnej úpravy. Skončenie pracovného pomeru je tiež obsahom ústavného práva na slobodnú voľbu povolania, zamestnania alebo inej zárobkovej činnosti. To platí nielen pre prípady, ak sa pracovný pomer končí na základe vzájomnej dohody účastníkov, ale aj v prípadoch, keď ku skončeniu pracovného pomeru dochádza na základe jednostranného právneho úkonu jedného z účastníkov.

Vo všeobecnosti platí výrazne kogentná právna úprava pracovnoprávnej oblasti, ktorá vylučuje svojvoľu účastníkov pracovnoprávných vzťahov a zmluvnú autonómiu.

Kogentná právna úprava v pracovnoprávnej oblasti sa dotýka aj vymedzenia spôsobov a dôvodov skončenia pracovného pomeru zo strany zamestnávateľa, zo strany zamestnanca alebo na základe dohody účastníkov pracovnoprávneho vzťahu. Kogentná právna úprava znemožňuje zneužívanie inštitútu skončenia pracovného pomeru a po-

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skytuje zvýšenú ochranu nielen zamestnancovi, ale aj zamestnávateľovi, ktorého podnikateľské aktivity môžu byť skončením pracovného pomeru zo strany zamestnancov ohrozené.

Zákonodarca práve preto podáva taxatívny výpočet spôsobov, akými môže dochádzať ku skončeniu pracovného pomeru. Ustanovenie § 59 zákona č. 311/2001 Z.z. Zákonníka práce v znení neskorších predpisov (ďalej len „Zákonník práce“), podávajúc tento taxatívny výpočet, poskytuje garanciu, že ku skončeniu pracovného pomeru nemôže dôjsť inak ako dohodou, výpoveďou, okamžitým skončením alebo skončením pracovného pomeru v skúšobnej dobe².

Z uvedeného výpočtu je zrejmé, že pracovný pomer sa môže skončiť na základe jednostranného právneho úkonu jedného z účastníkov pracovnoprávneho vzťahu, alebo dvojstranným právnym úkonom, t. j. dohodou medzi zamestnávateľom a zamestnancom. Pracovný pomer možno ukončiť aj viacerými úkonmi súčasne alebo postupne, pričom jednotlivé pracovnoprávne úkony smerujúce ku skončeniu pracovného pomeru sa posudzujú samostatne (napr. viac výpovedí zamestnávateľa, každá z iného dôvodu). Všetky uvedené spôsoby skončenia pracovného pomeru na základe právneho úkonu platia aj vo vzťahu k cudzincom a osobám bez štátnej príslušnosti, pokiaľ sú k zamestnávateľovi v pracovnom pomere. Pracovný pomer cudzích štátnych príslušníkov a osôb bez štátnej príslušnosti možno skončiť aj na základe rozhodnutia príslušného štátneho orgánu. Okrem dôvodov skončenia pracovného pomeru, ktoré sú taxatívne uvedené v § 59 Zákonníka práce, možno podľa ustanovenia § 19 ods.2 Zákonníka práce pracovný pomer skončiť aj odstúpením od pracovnej zmluvy do času, keď zamestnanec ešte nastúpil do práce.

1 Metodika práce

Predkladaný článok je z hľadiska použitých metód spoločenskovedným, teoretickým príspevkom, preto pri jeho spracovaní boli použité všeobecné vedecké metódy, najmä analýza a syntéza na všetkých stupňoch riešenia, ďalej, metóda indukcie a dedukcie, metóda abstrakcie, metóda porovnávania a metóda zovšeobecňovania. Pri zovšeobecnení konkrétnych problémov boli použité aj filozofické metódy poznania. Metóda vedeckej abstrakcie bola použitá na elimináciu nepodstatného a náhodného od podstatného a zákonitého. Cieľom článku je analyzovať problematiku spojenú s dohodou o skončení pracovného pomeru na základe ustálenej judikatúry, ktorá poukazuje na možné aplikačné problémy, ktoré spôsobujú neplatnosť tohto dvojstranného právneho úkonu účastníkov pracovnoprávneho vzťahu.

² § 59 zákona č. 311/2001 Z. z. Zákonníka práce v znení neskorších predpisov.

2 Výsledky a diskusia

2.1 Dohoda o skončení pracovného pomeru z hľadiska podstatných náležitostí

Dohoda o skončení pracovného pomeru je dvojstranným právnym úkonom, ktorým na základe zhodného prejavu vôle zamestnanca a zamestnávateľa dochádza ku skončeniu pracovného pomeru k určitému dňu. Ide o jediný dvojstranný právny úkon, na základe ktorého možno platne skončiť pracovný pomer. Proces vzniku dohody o skončení pracovného pomeru treba posudzovať podľa ustanovení zákona č. 40/1964 Zb. Občianskeho zákonníka v znení neskorších predpisov (ďalej len „Občiansky zákonník“) o právnych úkonoch, ktoré musia byť zohľadnené pre určenie, či je tento právny úkon platný a či s ním spájame zákonom ustanovené právne účinky. Slobodná a vážna vôľa, zrozumiteľnosť a určitosť právneho úkonu je samozrejmosťou pri všetkých právnych úkonoch.

Návrh na uzatvorenie dohody o skončení pracovného pomeru má smerovať ku skončeniu pracovného pomeru k určitému dňu. Obsah dohody o skončení pracovného pomeru nemusí byť na tej istej listine. Môže ísť o písomný návrh a jeho prijatie. Dohodou o skončení pracovného pomeru možno skončiť pracovný pomer na neurčitý čas, ako aj pracovný pomer na dobu určitú.

Dohoda o skončení pracovného pomeru je súčasne jedným zo zákonných spôsobov skončenia pracovného pomeru dohodnutého účastníkmi na čiastočný pracovný úväzok. Pri skončení pracovného pomeru dohodou sa podľa súčasného právneho stavu nevyžaduje ingerencia zástupcov zamestnancov vo forme prerokovania, resp. súhlasu. Zákonník práce ďalej ukladá zamestnávateľovi povinnosť, aby jedno vyhotovenie dohody o skončení pracovného pomeru vydal zamestnancovi. Dohodu o skončení pracovného pomeru je možné uzavrieť aj počas práceneschopnosti zamestnanca.

Zákonodarca ustanovuje pre dohodu o skončení pracovného pomeru písomnú formu a vzhľadom na občianskoprávnu úpravu právnych úkonov je potrebné poukázať na ustanovenie § 40 ods. 3 Občianskeho zákonníka, z ktorého vyplýva, že platnou môže byť iba dohoda o skončení pracovného pomeru podpísaná účastníkmi dohody. Avšak práve pri dohode o skončení pracovného pomeru zákonodarca neustanovuje podmienku písomnej formy pod doložkou neplatnosti, čo v praxi znamená, že dohoda o skončení pracovného pomeru síce predpokladá písomnú formu, ale nedodržanie zákonom predpísanej formy nespôsobuje neplatnosť tohto dvojstranného právneho úkonu. Nedodržaním písomnej formy dohody o skončení pracovného pomeru porušuje zamestnávateľ pracovnoprávne predpisy a zo strany inšpekcie práce môže byť postihnutý pokutou.

S prihliadnutím na ustanovenia Občianskeho zákonníka môžeme poukázať na judikatúru, ktorá poukazuje na právne účinky nedodržania písomnej formy dohody o skončení pracovného pomeru a súčasne na komplikácie uzavretia dohody o skončení pracovného pomeru konkludentným spôsobom. Najvyšší súd Slovenskej republiky (NS SR) v tejto veci vyslovil právny záver, že: „*Proces vzniku dohody o skončení pracovného pomeru možno posudzovať podľa ustanovení Občianskeho zákonníka (§ 43a a nasl.).*

Návrh na uzatvorenie dohody o skončení pracovného pomeru ako jednostranný adresovaný právny úkon má smerovať ku skončeniu pracovného pomeru k určitému dňu. Obsah dohody o skončení pracovného pomeru nemusí byť na tej istej listine. Môže ísť o písomný návrh a jeho písomné prijatie. Nedodržanie písomnej formy dohody o skončení pracovného pomeru nespôsobuje jej neplatnosť. Pokiaľ prejav vôle v tomto dvojstrannom právnom úkone (bez ohľadu na jeho formu) nie je formulovaný výslovne (ale iným spôsobom), nesmie vzbudzovať pochybnosti o tom, čo chceli účastníci prejavíť. Danosť vôle je základným predpokladom každého právneho správania – tvorí podstatnú, neopomenuteľnú a ničím nenahraditeľnú (výkladom neodstrániteľnú) náležitosť právneho úkonu. Právny úkon je prejavom vôle, s ktorým právny poriadok spája vznik, zmenu alebo zánik práv a povinností účastníkov právneho vzťahu. Podstatu právneho úkonu tvorí prejav vôle. Vôľa je nenahraditeľným elementom (prvkom) prejavu vôle. Prejav je odrazom (vyjadrením) psychického vnútra človeka rozpoznateľný v objektívnej realite. Aby sa vôľa mohla v objektívnej realite (navonok) uplatniť, musí byť vyjadrená tak, aby bola rozpoznateľná a uplatniteľná. Pokiaľ ide o prejav vôle výslovný (vyjadrený napríklad slovom, písmom, kresbou a pod.), spravidla ľahšie možno v ňom identifikovať uvedené rozlišovacie znaky charakterizujúce vôľu a jej obsahovú stránku. Zložitejšia situácia nastáva, ak je prejav vôle uskutočnený mlčky (konkludentne), v týchto prípadoch sa uplatňuje pravidlo, ktoré dovoľuje na ňu prihliadať, len pokiaľ (vzhľadom na všetky okolnosti) sú vylúčené akékoľvek pochybnosti o tom, že tu vôľa je, a tiež i to, aká je táto vôľa (porovnaj § 35 ods. 1, 2 Občianskeho zákonníka)³.“ Pri konkludentne či ústne uzatváraných dohodách o skončení pracovného pomeru je ale problematické domáhať sa na súde napríklad určenia neplatnosti týmto spôsobom rozviazaného pracovného pomeru.

Preukazovanie dôvodov, pre ktoré došlo k rozviazaniu pracovného pomeru, alebo preukazovanie existencie súhlasného prejavu vôle je priam nemožné a rovnako vnímame aj uplatňovanie nárokov vyplývajúcich z neplatného skončenia pracovného pomeru.

2.2 Neplatnosť dohody o skončení pracovného pomeru a právo na odstúpenie od dohody o skončení pracovného pomeru

Súdna prax poukazuje na ďalší dôvod, pre ktorý môže byť dohoda o skončení pracovného pomeru neplatná.

NS SR judikoval: „Vzhľadom na znenie § 1 ods. 4 Zákonníka práce, pracovnoprávne vzťahy podliehajú režimu Zákonníka práce iba v rozsahu ustanovenom v prvej časti Zákonníka práce; inak sa spravujú ustanoveniami Občianskeho zákonníka. Ide o subsidiárnu pôsobnosť Občianskeho zákonníka, v dôsledku čoho proces vzniku dohody o skončení pracovného pomeru, ako aj existenciu požadovaných náležitostí je potrebné posudzovať podľa ustanovení Občianskeho zákonníka (§ 43a a nasl.). Obsah dohody o skončení pracovného pomeru musí vykazovať všetky podstatné náležitosti platného právneho úkonu, absencia niektorého z nich má za následok neplatnosť dohody. Podstatnou náležitosťou právneho úkonu, teda aj dohody o skončení pracovného pomeru je vôľa, ktorá musí byť slobodná a vážna, a osobitným prípadom vady vôle je omyl.

³ Uznesenie Najvyššieho súdu Slovenskej republiky zo dňa 20. júna 2012, sp. zn. 7 M Cdo 12/2011.

Občiansky zákonník v ustanovení § 49a považuje právny úkon za neplatný, ak ho konajúca osoba urobila v omyle vychádzajúcom zo skutočnosti, ktorá je pre jeho uskutočnenie rozhodujúca, a osoba, ktorej bol právny úkon určený, tento omyl vyvolala alebo o ňom musela vedieť. Základným predpokladom použitia normatívnych dôsledkov tohto ustanovenia je to, že omyl sa týka takej okolnosti, bez ktorej by konajúca osoba právny úkon vôbec neurobila. Inak povedané, ak by nebolo omylu, nedošlo by k urobeniu právneho úkonu. Takýto omyl sa kvalifikuje ako podstatný omyl. Kumulatívnym predpokladom je však aj subjektívna stránka druhého účastníka právneho úkonu (spravidla zmluvy). Druhý účastník musel omyl vyvolať alebo aspoň o ňom musel – objektívne posudzované – vedieť. Hoci dohoda o skončení pracovného pomeru najviac zodpovedá zásade zmluvnej voľnosti, Zákonník práce čiastočne túto zmluvnú autonómiu obmedzuje tým, že zamestnávateľovi ukladá povinnosť uviesť dôvody skončenia pracovného pomeru, ak sa pracovný pomer skončil z dôvodov organizačných zmien⁴."

V uvedenom prípade NS SR poukázal nielen na neplatnosť dohody o skončení pracovného pomeru z dôvodu existencie podstatného omylu, ale súčasne potvrdil, že uvedenie dôvodu skončenia pracovného pomeru je obligatórnou náležitosťou dohody o skončení pracovného pomeru, ak ide o dôvody ustanovené v § 63 ods. 1 písm. a) až c) Zákonníka práce, t. j. niektorých dôvodov, pre ktoré zamestnávateľ môže skončiť pracovný pomer so zamestnancom výpoveďou.⁵

Pokiaľ mal zamestnávateľ niektorý z týchto dôvodov, pre ktorý chcel so zamestnancom rozviazať pracovný pomer, je povinný uviesť ho v dohode a predovšetkým upovedomiť o ňom zamestnanca. Pokiaľ ho uviedol do omylu a následne pracovné miesto obsadil iným zamestnancom, pracovný pomer skončil neplatne.

V obdobnej veci sa vyjadril aj Krajský súd Nitra, ktorý však konanie zamestnanca v omyle pri uzatváraní dohody o skončení pracovného pomeru posudzoval podľa § 19 ods. 1 Zákonníka práce, ktorý má odchylnú právnu úpravu od občianskoprávnej úpravy konania v omyle a spája s ním odlišné právne účinky.

Súd judikoval: „*Vychádzajúc z ustanovenia § 19 ods. 1 Zákonníka práce je zrejmé, že v ňom obsiahnutá právna úprava vidí v omyle dôvod na odstúpenie od zmluvy (dohody), pokiaľ sa omyl týka takej okolnosti, že by bez neho k zmluve nedošlo. Právnym následkom omylu však nie je neplatnosť právneho úkonu. Pokiaľ zamestnanec uzatvoril dohodu o skončení pracovného pomeru, pretože mal nesprávnu predstavu o dôvodoch skončenia pracovného pomeru spôsobenú tým, že mu zamestnávateľ zámerne poskytol*

⁴ Uznesenie Najvyššieho súdu Slovenskej republiky zo dňa 30. januára 2013, sp. zn. 1Cdo /123/2011.

⁵ § 63 Zákonníka práce: Výpoveď daná zamestnávateľom

- (1) Zamestnávateľ môže dať zamestnancovi výpoveď iba z dôvodov, ak
- a) sa zamestnávateľ alebo jeho časť
 1. zrušuje alebo
 2. premiestňuje a zamestnanec nesúhlasí so zmenou dohodnutého miesta výkonu práce,
 - b) sa zamestnanec stane nadbytočný vzhľadom na písomné rozhodnutie zamestnávateľa alebo príslušného orgánu o zmene jeho úloh, technického vybavenia alebo o znížení stavu zamestnancov s cieľom zabezpečiť efektívnosť práce alebo o iných organizačných zmenách,
 - c) zamestnanec vzhľadom na svoj zdravotný stav podľa lekárskeho posudku dlhodobo stratil spôsobilosť vykonávať doterajšiu prácu, alebo ak ju nesmie vykonávať pre chorobu z povolania alebo pre ohrozenie touto chorobou, alebo ak na pracovisku dosiahol najvyššiu prípustnú expozíciu určenú rozhodnutím príslušného orgánu verejného zdravotníctva

v tomto smere nepravdivé údaje, a pokiaľ bola táto nesprávna predstava rozhodujúca pre jeho vôľu akceptovať návrh tejto dohody, potom je dôvodný záver, že zamestnanec konal v omyle, ktorý musel byť zamestnávateľovi známy. V takomto prípade má zamestnanec právo od zmluvy odstúpiť."⁶ V uvedenom prípade súd postupoval inak ako NS SR vo vyššie uvedenom prípade a usúdil, že konanie zamestnanca v omyle nespôsobuje neplatnosť právneho úkonu, ale spôsobuje vznik nároku na odstúpenie od zmluvy. Táto právna úprava (§ 19 ods. 1 Zákonníka práce)⁷ sa však vzťahuje na vznik pracovnej zmluvy, resp. zmluvy, ktorou sa uzatvára pracovnoprávny vzťah, nie na všetky dvojstranné právne úkony vznikajúce medzi zamestnancom a zamestnávateľom.

S odkazom na subsidiárnu pôsobnosť Občianskeho zákonníka na pracovnoprávne vzťahy môžeme poukázať na ďalší dôvod, pre ktorý by mohlo dôjsť k spochybneniu platnosti dohody o skončení pracovného pomeru, resp. k odstúpeniu od dohody o skončení pracovného pomeru.

Týmto dôvodom je uzavretie dohody v tiesni pri existencii nápadne nevýhodných podmienok podľa § 49 Občianskeho zákonníka. „Právo odstúpenia od zmluvy uzavretej v tiesni podľa názoru súdu platí aj v pracovnom práve. Podľa § 49 Občianskeho zákonníka účastník, ktorý uzavrel zmluvu v tiesni za nápadne nevýhodných podmienok, má právo od zmluvy odstúpiť. Pojem tieseň nie je definovaný, avšak podľa praxe za tieseň je potrebné považovať sociálny, hospodársky, ale aj psychický stav osoby, ktorý na ňu objektívne dolieha takým závažným spôsobom, že táto osoba bez slobodného utvárania svojej vôle uzavrie zmluvu, ktorá jej zrejme spôsobí ujmu a ktorú by za normálnych okolností ako neprospešnú vôbec neuzavrela. Tieseň umožňuje oprávnenej osobe odstúpiť od zmluvy len v prípade, že zmluva bola uzavretá za nápadne nevýhodných podmienok. O nápadne nevýhodných podmienkach možno hovoriť len vtedy, ak existuje zjavný nepomer vzájomne poskytnutých plnení“⁸.

Dôvody, pre ktoré sa uzatvára dohoda o skončení pracovného pomeru, nemusia byť uvedené v dohode, ak nejde o niektoré z dôvodov ustanovených v § 63 ods. 1 Zákonníka práce, alebo ak to zamestnanec nepožaduje. Zamestnávateľ je na požiadanie zamestnanca povinný uviesť dôvody uzatvorenia dohody o skončení pracovného pomeru. V každom prípade je v záujme ďalšej pracovnej uplatniteľnosti zamestnanca veľmi dôležité uvedenie dôvodov skončenia pracovného pomeru dohodou, aby u budúceho zamestnávateľa nevznikli pochybnosti o skutočných dôvodoch skončenia pracovného pomeru.

Výklad niektorých zo zákonom ustanovených dôvodov nespôsobuje aplikačné problémy. Za uvedené dôvody považujeme napríklad zrušenie zamestnávateľa alebo jeho časti, prípadne lekársky posudok preukazujúci nespôsobilosť výkonu práce či existenciu choroby z povolania. Pri premiestnení zamestnanca na iné miesto výkonu práce a pri nadbytočnosti zamestnanca už dochádza k aplikačným problémom, a to predovšetkým

⁶ Rozsudok Krajského súdu Nitra zo dňa 28. marca 2012, sp. zn. 25Co/276/2011.

⁷ §19 Zákonníka práce: Odstúpenie od pracovnej zmluvy

(1) Účastník, ktorý konal v omyle, ktorý druhému účastníkovi musel byť známy, má právo od zmluvy odstúpiť, ak sa omyl týka takej okolnosti, že by bez neho k zmluve nedošlo.

⁸ Rozsudok Okresného súdu Žilina zo dňa 22. marca 2012, sp. zn. 18C/20/2006.

nesprávnym či nedostatočným výkladom obsahu uvedených dôvodov. Aj v týchto prípadoch vychádzame z ustálenej judikatúry, ktorá podáva relevantnú interpretáciu týchto pojmov.

Nadbytočnosť zamestnanca je pojmom, ktorý predpokladá jednoduchý výklad, avšak Zákonník práce považuje zamestnanca za nadbytočného v prípade, že: „Zamestnávateľ nemá možnosť zamestnanca ďalej zamestnávať prácami dohodnutými v pracovnej zmluve. Dôvody tejto nemožnosti musia spočívať v tom, že zamestnávateľ ďalej nepotrebuje práce vykonávané zamestnancom, a to buď vôbec, alebo v pôvodnom rozsahu. Uvedený stav môže byť daný vnútornými organizačnými zmenami alebo znížením celkového počtu zamestnancov. Zákon umožňuje zamestnávateľovi, aby reguloval počet svojich zamestnancov a ich kvalifikačné zloženie tak, aby zamestnával len taký počet zamestnancov a v takom kvalifikačnom zložení, ktoré zodpovedá jeho potrebám. V prípade posudzovania dôvodnosti použitia tohto výpovedného dôvodu sa skúma, či organizačná zmena urobila zamestnanca nadbytočným. O výbere zamestnanca, ktorý je nadbytočný, rozhoduje výlučne zamestnávateľ.“⁹ Ani súd nemôže preskúmať správnosť výberu nadbytočných zamestnancov zamestnávateľom. Z hľadiska právnej povahy rozhodnutia o organizačnej zmene, ktorej dôsledkom je nadbytočnosť zamestnanca, toto rozhodnutie v zmysle judikatúry nemá povahu právneho úkonu, z čoho vyplýva právny dôsledok spočívajúci v tom, že účastník pracovného pomeru nemôže na súde žiadať, aby súd rozhodol o jeho neplatnosti.¹⁰

Nemožno zamestnávateľa nútiť k tomu, aby zamestnával určitý počet ľudí, prípadne stanovovať mu organizačnú štruktúru. Pokiaľ však dôjde ku skončeniu pracovného pomeru z dôvodu, že zamestnanec sa stal nadbytočným pre zamestnávateľa, je nevyhnutné preukázať príčinnú súvislosť medzi vykonávanými organizačnými zmenami, resp. plánovanými zmenami a nadbytočným postavením zamestnanca v tejto organizačnej štruktúre, ktorú v prípade súdneho sporu preukazuje zamestnávateľ. Ešte väčší význam majú tieto skutočnosti pri skončení pracovného pomeru výpoveďou, kde zamestnanec nevyjadruje súhlasný prejav vôle s rozviazaním pracovného pomeru a je pravdepodobné, že si uplatní nároky súdnou cestou, t. j. bude sa domáhať určenia neplatnosti skončenia pracovného pomeru.

V prípadnom súdnom spore o neplatnosť výpovede zo strany zamestnávateľa by mal súd skúmať, aký cieľ zamestnávateľ svojím rozhodnutím skutočne sledoval. Konanie zamestnávateľa treba vždy posúdiť v úplnosti a logickej nadväznosti. Ak napr. súd zistí, že skutočným cieľom rozhodnutia zamestnávateľa o organizačných zmenách nebolo zníženie existujúceho stavu zamestnancov za účelom zabezpečenia efektívnosti práce, ale celkom iný zámer, rozviazanie pracovného pomeru či už dohodou alebo výpoveďou z dôvodu nadbytočnosti zamestnanca je neplatné a rozhodnutie zamestnávateľa sa posudzuje, akoby nebolo prijaté, pretože nejde o rozhodnutie zamestnávateľa, s akým počíta § 63 ods.1 písm. b) Zákonníka práce.

⁹ Rozsudok Najvyššieho súdu Slovenskej republiky zo dňa 30. novembra 2011, sp. zn. 1Cdo/53/2010.

¹⁰ BARANCOVÁ, H. 2015. *Zákonník práce. Komentár*. Bratislava: C. H. Beck, 2015.

2.3 Skončenie pracovného pomeru dohodou z dôvodu dlhodobej straty zdravotnej spôsobilosti na výkon doterajšej práce na základe lekárskeho posudku

Dlhodobá strata zdravotnej spôsobilosti na výkon doterajšej práce na základe lekárskeho posudku je výpovedný dôvod podľa § 63 ods.1 písm. c) Zákonníka práce. Pri tomto dôvode skončenia pracovného pomeru dohodou musí ísť o dlhodobú stratu spôsobilosti vykonávať doterajšiu prácu. Strata zdravotnej spôsobilosti musí byť deklarovaná lekárskeým posudkom.¹¹

Odborné lekárske posudky sú administratívno-správne akty, ktoré nepodliehajú obsahovému preskúmaniu zo strany súdu. V prípade, že zamestnanec vzhľadom na svoj zdravotný stav podľa lekárskeho posudku dlhodobo stratil spôsobilosť vykonávať doterajšiu prácu, je zamestnávateľ povinný preradiť zamestnanca na inú vhodnú prácu. V prípade, že zamestnávateľ takú prácu nemá, je to prekážka v práci na strane zamestnávateľa a zamestnanec má nárok na náhradu mzdy v sume jeho priemerného zárobku.

Účel preradenia je potrebné dosiahnuť preradením zamestnanca v rámci pracovnej zmluvy. Ak to nie je možné, môže zamestnávateľ preradiť zamestnanca aj na prácu iného druhu, ako bol dohodnutý v pracovnej zmluve, ale len po dohode so zamestnancom dodatkom k pracovnej zmluve. Dlhodobú stratu zdravotnej spôsobilosti zamestnanca vykonávať doterajšiu prácu Zákonník práce ani iný pracovnoprávny predpis nevy-medzuje.

Dlhodobá strata zdravotnej spôsobilosti však môže vzniknúť aj v krátkom čase v závislosti od závažnosti poškodenia zdravia zamestnanca. V dohode o skončení pracovného pomeru z uvedeného dôvodu má zamestnávateľ povinnosť uviesť tento dôvod skončenia pracovného pomeru bez ohľadu na to, či uvedenie tohto dôvodu v dohode o skončení pracovného pomeru zamestnanec požaduje alebo nie.

Pre zamestnávateľa a zamestnanca je pre posúdenie schopnosti vykonávať prácu dôležitý lekárskeý posudok, nie lekárske odporúčanie. Definíciu lekárskeho posudku ustanovuje §16 zákona č. 576/2004 Z. z. o zdravotnej starostlivosti, službách súvisiacich s poskytovaním zdravotnej starostlivosti a o zmene a doplnení niektorých zákonov. Lekárskeý posudok vydáva poskytovateľ zdravotnej starostlivosti a posudzovanie vykonáva poskytovateľom určený lekár. Ak je v závere posudku uvedené, že zamestnanec je dlhodobo nespôsobilý na výkon posudzovanej práce, zamestnanec nemôže zo zdravotných dôvodov vykonávať konkrétny druh práce. Lekárske odporúčanie, resp. lekárske správy nespĺňajú požiadavky na lekárskeý posudok. Lekárskeý posudok by mal obsahovať aj poutčenie o odvolaní.¹²

¹¹ Pre ukončenie pracovného pomeru z toho dôvodu prichádza do úvahy jednak dohoda o skončení pracovného pomeru k dohodnutému termínu, v ktorej musia byť uvedené dôvody skončenia pracovného pomeru, ak to zamestnanec požaduje, alebo ak sa pracovný pomer skončil dohodou z dôvodov uvedených v § 63 ods.1 písm. a) až c), alebo výpoveď zo strany zamestnávateľa z dôvodu podľa § 63 ods.1 písm. c).

¹² Zabezpečenie posúdenia zdravotnej spôsobilosti zamestnancov na prácu (lekárske preventívne prehliadky) je jednou zo základných povinností zamestnávateľa vyplývajúcich zo zákona č. 355/2007 Z.z. o ochrane, podpore a rozvoji verejného zdravia a o zmene a doplnení niektorých zákonov v znení neskorších predpisov a zákona č. 1245/2006 Z.z. o ochrane a bezpečnosti zdravia pri práci

V praxi sa vyskytuje názor, že doba práceneschopnosti je obmedzená a zamestnanec je povinný začať vykonávať prácu po uplynutí podporného obdobia 52 týždňov. V prípade, že je zamestnanec práceneschopný, Zákonník práce neobmedzuje dobu trvania práceneschopnosti. Podľa § 141 Zákonníka práce zamestnávateľ ospravedlní neprítomnosť zamestnanca v práci za celý čas trvania pracovnej neschopnosti pre chorobu alebo úraz, pokiaľ práceneschopnosť trvá. Uplynutím 52. týždňa od vzniku dočasnej pracovnej neschopnosti zaniká nárok na nemocenskú dávku podľa zákona o sociálnom poistení, ale povinnosť zamestnávateľa ospravedlniť neprítomnosť zamestnanca v práci trvá naďalej, ak trvá práceneschopnosť.

Vznik nároku na invalidný dôchodok neznamena automaticky skončenie pracovného pomeru. Nie je teda správny postup, že ak sa stane zamestnanec invalidným, považuje sa táto skutočnosť za dôvod skončenia pracovného pomeru zo strany zamestnávateľa.¹³ V prípade, ak sa zamestnanec stane invalidným a začne poberať invalidný dôchodok, Zákonník práce túto skutočnosť nepovažuje za skončenie pracovného pomeru ani dôvod na vyplatenie odstupného. Ak sa zamestnanec stane invalidným, môže, ale nemusí byť schopný vykonávať doterajšiu prácu. Zákon neobmedzuje nárok na vyplatenie invalidného dôchodku z dôvodu, že jeho poberateľ pracuje.

Zamestnancovi patrí pri skončení pracovného pomeru dohodou z dôvodu, že zamestnanec stratil vzhľadom na svoj zdravotný stav spôsobilosť vykonávať doterajšiu prácu, odstupné najmenej v sume jeho priemerného mesačného zárobku, ak pracovný pomer zamestnanca trval menej ako dva roky, dvojnásobku jeho priemerného mesačného zárobku, ak pracovný pomer trval najmenej dva roky, a menej ako päť rokov, trojnásobku jeho priemerného mesačného zárobku, ak pracovný pomer zamestnanca trval najmenej päť rokov, a menej ako desať rokov, štvornásobku jeho priemerného mesačného zárobku, ak pracovný pomer zamestnanca trval najmenej desať rokov, a menej ako dvadsať rokov, päťnásobku jeho priemerného mesačného zárobku, ak pracovný pomer zamestnanca trval najmenej dvadsať rokov.

Zamestnancovi, s ktorým zamestnávateľ skončí pracovný pomer dohodou z dôvodov, že zamestnanec nesmie vykonávať prácu pre pracovný úraz, chorobu z povolania alebo pre ohrozenie touto chorobou, alebo ak na pracovisku dosiahol najvyššiu prípustnú expozíciu určenú rozhodnutím príslušného orgánu verejného zdravotníctva, patrí pri skončení pracovného pomeru odstupné v sume najmenej desaťnásobku jeho priemerného mesačného zárobku.

Okrem toho patrí zamestnancovi pri prvom skončení pracovného pomeru po vzniku nároku na starobný dôchodok alebo invalidný dôchodok, ak pokles schopnosti vykonávať zárobkovú činnosť je viac ako 70 % odchodné, podľa § 76a Zákonníka práce, najmenej v sume jeho priemerného mesačného zárobku, ak požiada o poskytnutie uvedeného dôchodku pred skončením pracovného pomeru alebo do desiatich pracovných dní po jeho skončení.

¹³ ŠRAMKOVÁ, M.: Skončenie pracovného pomeru a nároky z neplatného skončenia pracovného pomeru v najnovšej judikatuře NS SR. Zborník referátov z odbornej konferencie Pracovné právo 2017, konanej 4. apríla 2017 v Bratislave, s. 97

Záver

Ani uzavretie dohody o skončení pracovného pomeru nebráni tomu, aby sa zamestnanec domáhal určenia neplatnosti skončenia pracovného pomeru. Nároky vyplývajúce z neplatného rozviazania pracovného pomeru si môže účastník pracovnoprávneho vzťahu uplatňovať v zmysle ustanovení § 77 až § 80 Zákonníka práce. Pokiaľ je skončenie pracovného pomeru napadnuté na súde, rozhodujúcim okamihom je právoplatné rozhodnutie súdu. Až týmto rozhodnutím súdu môžeme hovoriť o skončení pracovného pomeru a viazať naň právne účinky tohto právneho inštitútu.

Vzhľadom na čas, ktorý plynie medzi podaním návrhu na určenie neplatnosti skončenia pracovného pomeru na súde a právoplatným rozhodnutím súdu, je nevyhnutné zabezpečiť, aby účastník pracovnoprávneho vzťahu nebol v právnej neistote. V tejto situácii poskytuje zákon zvýšenú ochranu zamestnancovi, ktorý rozhoduje o tom, či aj naďalej vykonávať prácu u zamestnávateľa chce alebo nie. Pokiaľ si zamestnanec uplatní tento nárok, zamestnávateľ je povinný pridelovať mu prácu aj naďalej, resp. až do právoplatného rozhodnutia súdu, ktorým sa zamietá návrh na určenie neplatnosti skončenia pracovného pomeru. Pokiaľ si však zamestnanec neuplatní svoje právo vykonávať prácu u zamestnávateľa aj naďalej, zákonodarca predpokladá, že nastáva právna fikcia skončenia pracovného pomeru dohodou.

Hoci pri dohode o skončení pracovného pomeru nepredpokladáme, že často dochádza k podávaniu návrhov na určenie neplatnosti skončenia pracovného pomeru, je nevyhnutné aj na tieto aspekty upozorniť.

Práve dohoda o skončení pracovného pomeru sa javí ako najpriateľnejší spôsob skončenia pracovného pomeru, ale nie vždy je uzavretá z dôvodov, ktoré sú v nej uvedené, prípadne nie na základe slobodne prejavenej vôle zamestnanca. Vo väčšine prípadov sa právna teória zaoberá ostatnými spôsobmi skončenia pracovného pomeru, ktoré so sebou prinášajú viacero aplikačných problémov, a na dohodu o skončení pracovného pomeru sa často pozabúda.

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Zákon č. 40/1964 Z.z. Občiansky zákonník v znení neskorších predpisov

Zákon č. 311/2001 Z.z. Zákonník práce v znení neskorších predpisov

Gramotnosť spotrebiteľ'a

Marína Korčoková¹

Consumer literacy

Abstract

The number of consumers in the European Union and the Union is steadily increasing. The European Union is a group of 28 countries, now has more than 500 million inhabitants, while every citizen is also a consumer. Gradual expansion of new countries brings with it a difference in consumer behavior, culture, living conditions and needs. The consumer has the option of a wide selection, competitor comparison options and the like. On the other hand, the consumer is confronted with various unfair practices by manufacturers, dealers, with many legislative measures that are difficult to orientate. Every consumer responds to the situation in a different way, and each consumer is otherwise prepared for the situation. The consumer's readiness depends on his/her education – literacy.

The aim of the paper is to highlight the link between consumer policy and consumer literacy, which includes consumer education.

Keywords

consumers, education, literacy, consumer safety

JEL Classification: P46, Q18

Úvod

Trh a trhové prostredie sa neustále vyvíja a mení rýchlym tempom. S týmito zmenami súvisí aj vývoj spotrebiteľskej politiky. Spotrebiteľia majú stále väčšie a väčšie nároky na výrobcov a obchodníkov vďaka meniacemu sa životnému štýlu. Spoločnosti musia vyvíjať nemalé úsilie, aby si udržali svoju trhovú pozíciu. Rýchlo rastúci konkurenčný tlak je hrozbou aj pre etablované podniky na trhu. Konkurenčný boj je tvrdý a podnikatelia musia hľadať výhody, ktoré im zabezpečia úspech na trhu. Nástrojmi v konkurenčnom boji sú: konkurenčná výhoda, dobre zvládnutý marketing, vhodne nastavený marketingový mix, kvalita služieb zákazníkom a nakoniec samotné dobré vzťahy so zákazníkmi a spotrebiteľmi. Treba si uvedomiť, že základom je spotrebiteľ a uvedené nástroje ovplyvňujú jeho nákupné rozhodnutia.

Úlohou spotrebiteľskej politiky je zvyšovať povedomie spotrebiteľov o ich právach a povinnostiach a zvyšovať celkovú gramotnosť spotrebiteľov. Spektrum spotrebiteľskej politiky je nesmierne široké – problematika práv a povinností spotrebiteľov, bezpečnosti produktov, zraniteľnosti spotrebiteľov, problematika bezpečnosti potravín, služieb, mimosúdnych sporov, práv pacientov, finančná gramotnosť, pravdivosť informácií,

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nekalé obchodné praktiky a mnohé ďalšie oblasti. Gramotnosť spotrebiteľa súvisí s mnohými faktormi a v jednotlivých krajinách je rozdielna. Môžeme si položiť otázku: „Podľa akých kritérií máme hodnotiť gramotnosť spotrebiteľa?“

Táto otázka je nesmierne náročná, sú to ekonomické rozhodnutia spotrebiteľov, životná úroveň spotrebiteľov, počet preventívnych zdravotných prehliadok, počet podaní reklamácií, počet podnetov na súde, využívanie alternatívnych energetických zdrojov, šetrné správanie k životnému prostrediu, snaha zvýšiť si vzdelanie formou rôznych kurzov. Vedeli by sme uviesť veľa ďalších kritérií, podľa ktorých by sme mohli hodnotiť gramotnosť spotrebiteľov. Vo všeobecnom chápaní označujeme pojem gramotnosť ako schopnosť človeka naučiť sa čítať a písať. Gramotný jedinec je taký, ktorý by mal vedieť disponovať svojimi zručnosťami a vedomosťami. „Funkčne gramotný človek je schopný začleňovať sa do všetkých aktivít, v ktorých je gramotnosť potrebná pre efektívne fungovanie spoločnosti.“ (Průcha, 1999)

Vzhľadom na veľmi široké spektrum spotrebiteľskej politiky, ochrany spotrebiteľa aj gramotnosť spotrebiteľa sa sleduje v jednotlivých sektoroch. V uvedenom príspevku budeme bližšie rozoberať všeobecné povedomie spotrebiteľa o svojich právach, povinnostiach a postojoch k spotrebiteľskej problematike. V druhej časti príspevku si rozoberieme problematiku finančnej gramotnosti.

Cieľom príspevku je poukázať na prepojenosť spotrebiteľskej politiky s gramotnosťou spotrebiteľa, ktorej súčasťou je vzdelávanie spotrebiteľov.

1 Metodika práce

Po zadaní témy príspevku sme si vytvorili plán, prostredníctvom ktorého sme následne postupovali počas vypracovávania uvedeného príspevku. Prvým krokom bolo stanovenie si cieľa a následne pomocných cieľov, ktorých plnením sme sa dostali k finálnej verzii nášho príspevku. Podklady potrebné na vypracovanie príspevku sme získavali prostredníctvom dvoch zdrojov. Problematiku sme analyzovali prostredníctvom teoretického vymedzenia a následne praktickou formou, teda realizáciou 2 prieskumov, ktoré sa špecificky zameriavali na zistenie gramotnosti spotrebiteľa v jednotlivých oblastiach. V praktickej časti sme venovali pozornosť primárnej metóde zberu údajov a to konkrétne štandardizované dopytovanie formou on-line dotazníkov. Cieľom jednotlivých prieskumov bolo zistenie postojov a vedomostí slovenských spotrebiteľov k svojim právam a povinnostiam v jednotlivých špecifických sférach.

Prvý prieskum bol zameraný na zistenie povedomia spotrebiteľa o spotrebiteľskej problematike. Druhý prieskum sa zaoberal problematikou finančnej gramotnosti a cieľom bolo zistiť úroveň finančnej gramotnosti spotrebiteľov v rôznych vekových kategóriách. Cieľom jednotlivých prieskumov bolo pri zistení nedostatkov navrhnúť aj konkrétne riešenia na zlepšenie daného stavu. Jednotlivé prieskumy sa realizovali na Ekonomickej univerzite v spolupráci študentov počas jednotlivých semestrov. Informácie sme čerpali najmä z domácej i zahraničnej literatúry, internetu, taktiež sme využívali články uverejnené vo vedeckých časopisoch. Pri rozpracovaní skúmanej problematiky sme využili široké spektrum klasických metód vedeckej heuristiky – analýzu, syntézu, konkretizáciu, generalizáciu a komparáciu, čiastočne indukciu a dedukciu.

Teoretická časť sa zameriava na spracovanie informácií o spotrebiteľskej politike, spotrebiteľoch, spotrebiteľských právach, spotrebiteľskom správaní, spotrebiteľskej politike a jej zabezpečení v podmienkach Európskej únie a najmä Slovenska. Podrobne sme analyzovali jednotlivé kľúčové pojmy, definície danej problematiky a snažili sme sa poukázať na súčasné priority. V práci citujeme významných autorov, ktorí sa touto sférou zaoberajú už niekoľko rokov a aktívne sa v spotrebiteľskej politike angažujú.

Výsledkom riešenia danej problematiky sú návrhy na zlepšenie informovanosti a vzdelávania spotrebiteľov, ktoré sú súčasťou spotrebiteľskej politiky. Taktiež chceme upozorniť na skutočnosť, že prieskumy majú len orientačný charakter vzhľadom na počet jednotlivých respondentov. V príspevku neuvádzame výsledky komplexných prieskumov, ale vybrali sme len určité otázky, ktoré súvisia s problematikou gramotnosti spotrebiteľa.

2 Výsledky a diskusia

Medzi základné ciele spotrebiteľskej politiky EÚ patrí ochrana a rovnocenné postavenie všetkých spotrebiteľov. Snaha o zabezpečenie rovnocenného postavenia všetkých spotrebiteľov v sebe zahŕňa mnohé legislatívne a inštitucionálne opatrenia, ktoré majú zabezpečiť vhodné podmienky pre zdravie, bezpečnosť a ekonomický blahobyt spotrebiteľov. Súčasná spotrebiteľská politika Európskej Únie (EÚ) vychádza z programu „Spotrebiteľia“ na roky 2014 – 2020 (Európska komisia, 2014). Zásadnou úlohou je presadiť, aby sa spotrebiteľia stali stredobodom záujmu jednotného trhu a posilnilo sa ich postavenie. Cieľom EÚ je, aby sa zákazníci mohli aktívne zúčastňovať na trhu a tiež, aby samotný trh dosiahol v očiach spotrebiteľa efektívne fungujúce prostredie. V novom programe boli ponechané najúspešnejšie prvky starého, pričom prihliada na nové spoločenské výzvy, ako je napríklad potreba prechodu na trvalo udržateľnejšie modely spotreby, príležitosti a hrozby vyplývajúce z rozvoja digitalizácie a osobitné potreby zraniteľných spotrebiteľov.

2.1 Súčasný stav riešenej problematiky

Vzdelávacie a informačné iniciatívy nového programu sú zamerané na podporu zvýšenia informovanosti o právach, najmä mladých spotrebiteľov. Vzdelávanie sa podrobne sústreďuje na problematiku trvalo udržateľného rozvoja – obstaranie ekologických produktov, šetrenie energie, životného prostredia, správanie spotrebiteľa, neklamlivé označovanie produktov a ostatné.

Spotrebiteľská politika prezentuje ekonomické, spoločenské, komerčné, ako aj legislatívne a iné opatrenia, ktoré sa tvoria v záujme spotrebiteľa. Uvedená politika sa sústreďuje na zdravie, bezpečnosť a ochranu ekonomických záujmov, aby dokázala nadobudnúť vysoký stupeň ochrany. Základným zámerom spotrebiteľskej politiky EÚ je ochrana a rovnocenné postavenie všetkých spotrebiteľov na území EÚ. Spotrebiteľská

politika priamo ovplyvňuje spotrebiteľa, čo sa odráža na spotrebiteľovom životnom štýle. Preto uvedená politika zohráva dôležitú úlohu v spoločnosti (Korčoková, 2014).

Dva hlavné ciele spotrebiteľskej politiky, ktoré sú uvedené vo Veľkej ekonomickej encyklopédii, sú:

- informovať spotrebiteľa o tovaroch a službách tak, že jeho kúpne rozhodnutia prispievajú k fungovaniu konkurenčných trhov,
- ochraňovať spotrebiteľa a pomáhať mu, aby sa chránil pred tými, ktorí majú schopnosť škodiť mu (Šíbl, 2002).

Základnú úlohu spotrebiteľskej politiky predstavuje snaha o vytvorenie právnej rovnováhy medzi subjektmi výrobca – sprostredkovateľ – spotrebiteľ pri kúpnopredajných vzťahoch. (Fridrich, 2016)

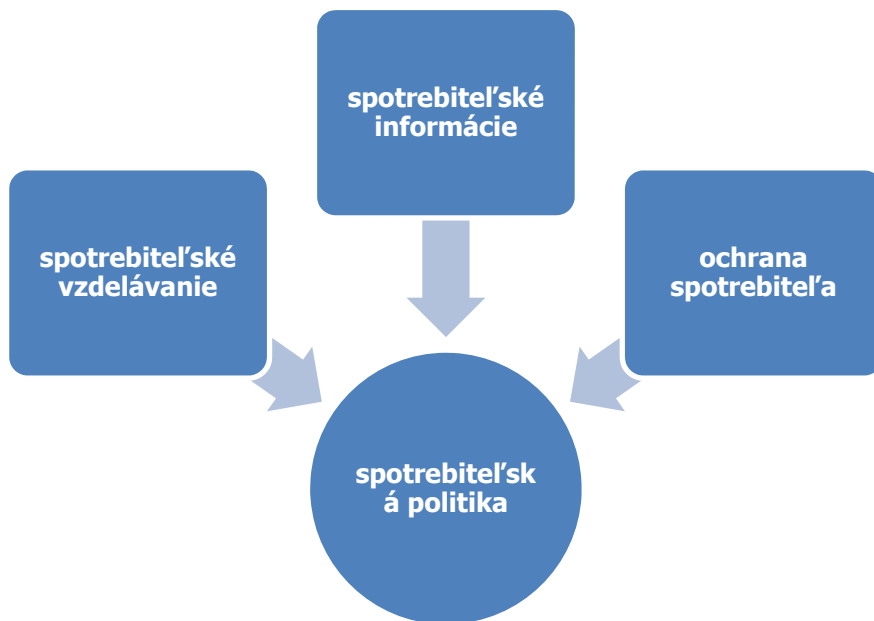
Zásady spotrebiteľskej politiky tvoria:

- postoj – rozumie sa tým zabezpečenie tovarov a služieb na trhu je potreba ponúknuť subjektom trhu kvalitný a rozsiahly sortiment, ktorý naplní spotrebiteľom ich potreby na druhej strane zriadenie systému podpory, ktorý je určený pre chudobných spotrebiteľov,
- voľba – podnecuje ku konkurencieschopnosti podnikateľského prostredia prostredníctvom ponuky kvalitných produktov širokého výberu za dobré ceny,
- informácia – predstavuje primárny zdroj na nákupné rozhodovanie, dôležité je, aby boli informácie charakteristické ľahkou dostupnosťou, aktualitou, presnosťou a kvalitou,
- bezpečnosť – spojená s normami bezpečnosti spotrebiteľa, vyjadrená v spoľahlivosti a certifikáciou výrobkov a služieb z pohľadu bezpečnosti, ďalej s ohľadom na manipuláciu s tovarom bez ohrozenia poškodenia zdravia či úrazu spotrebiteľa,
- substitúcia vo forme odškodného – platí najmä pre firmy, ktoré poskytujú zavádzajúce informácie, spotrebiteľovi prináleží finančné vyrovnanie v prípade oklamania a poškodenia spôsobeného podnikateľom,
- objektivita v práve – ochrana pred diskrimináciou, či zvýhodňovaním jednej skupiny spotrebiteľov pred inou,
- zastúpenie – ochrana záujmov spotrebiteľov premietnutá v združeníach, kde sa zoskupujú s cieľom chrániť spotrebiteľov (Dzurová, 2013).

Šíbl tvrdí, že: „Opatrenia v prospech spotrebiteľa je možné robiť vo všetkých sociálno-ekonomických podmienkach a intenzita týchto opatrení zodpovedá stupňu rozvoja trhovej ekonomiky. Garantom spotrebiteľskej politiky je štát.“ (Šíbl a kol., 2002)

Podľa P. Hraška má spotrebiteľská politika tri časti (faktory spotrebiteľskej politiky):

- spotrebiteľské vzdelávanie a výchovu – poskytuje spotrebiteľovi základné informácie o jeho právach a povinnostiach,
- spotrebiteľské informácie – informácie potrebné pre správne spotrebiteľovo rozhodovanie,
- konkrétnu ochranu spotrebiteľa – legislatívne a inštitucionálne zabezpečenie ochrany spotrebiteľa (Hraško, 1996).

Obr. 1 Základné faktory spotrebiteľskej politiky

Zdroj: Korčoková 2017, vlastné spracovanie

Vzdelávanie spotrebiteľa je dôležité, pretože jeho ochrana je založená na vedomostiach, znalostiach a informáciách. Vzdelávanie poskytuje spotrebiteľovi informácie, ktoré by mal mať o svojich právach a povinnostiach. Vplyvom zmien na trhu a častejším objavovaním sa agresívnych obchodných praktík v obchodných vzťahoch už nestačí len vychovávať spotrebiteľov v detských a dospelujúcich rokoch, ale je potrebné zabezpečiť celoživotné vzdelávanie. Cieľom spotrebiteľskej výchovy je poskytnúť spotrebiteľom vedomosti a zručnosti, aby boli schopní samostatne a zodpovedne uskutočňovať aktivity na čoraz zložitejšom trhu. Úlohou spotrebiteľskej výchovy je doceliť kritické, suverénne a zodpovedné správanie človeka v sociálnom, ekonomickom, politickom, kultúrnom a ekologickom životnom prostredí (Dzurová a kol., 2011).

V členských krajinách Európskej únie je dôležité považovať ochranu spotrebiteľov za súčasť dobre fungujúceho trhového hospodárstva. Avšak aj napriek tomu mnohokrát dochádza k porušovaniu spotrebiteľských záujmov a práv. Konkurencia na trhu poškodzuje tak záujmy spotrebiteľa, ako aj výrobcov a obchodníkov. Je všeobecne známe, že spotrebiteľ nemá na trhu rozhodujúci vplyv, ale podlieha konkurenčným záujmom menších i väčších podnikateľských subjektov. Spotrebiteľ je neustále vystavovaný tlaku reklamy a často nedisponuje dostatočnými informáciami potrebnými pre správny výber produktov. Na dosiahnutie správnych trhových vzťahov má spotrebiteľská politika za úlohu vzdelávať a informovať spotrebiteľov, ako aj zvýšiť ich povedomie o spotrebiteľských právach.

Spotrebiteľské informácie predstavujú informácie, ktoré sú potrebné pri rozhodovaní spotrebiteľa a vedú k jeho správne mu výberu. Informácie majú dôležité postavenie ako nástroj spotrebiteľskej politiky, ktorý vie ovplyvniť správanie i nákupné rozhodovanie spotrebiteľa. V prípade, že sa spotrebiteľ ocitne v situácii, keď sa má rozhodnúť či

daný produkt kúpi alebo nie, je nutné, aby mal k dispozícii dostatočné množstvo relevantných informácií, vďaka ktorým sa uľahčí jeho rozhodnutie a ktoré mu umožnia správny výber.

2.2 Prieskum – získanie informácií o povedomí spotrebiteľov o ich právach a povinnostiach

V rámci prieskumu, ktorý bol organizovaný na Ekonomickej univerzite v roku 2016 (Mihálová, Korčoková, 2016) so zameraním získať informácie o povedomí spotrebiteľov o ich právach, povinnostiach a postojoch k spotrebiteľskej problematike, uvádzame niektoré zaujímavé skutočnosti. Kvantitatívny prieskum bol realizovaný formou dotazníka na vybranej vzorke respondentov zo Slovenska v marci 2016 (vzorka 98 respondentov). Dotazník bol respondentom distribuovaný osobne a elektronicky, pričom bol zverejnený aj na stránke Európskeho spotrebiteľského centra na sociálnej sieti. (DP Bc. Dominika Mihálová, EU 2016: Problematika ochrany spotrebiteľa so zreteľom na zraniteľné skupiny, evidenčné číslo: 102002/D/2016/3535498733). Vzhľadom na nízky počet respondentov prieskum má len odporúčajúci charakter.

Pracovné postupy

Postup jednotlivých krokov pre prieskumnú časť:

- vymedzenie okruhu potrebných informácií a metód ich získania;
- zostavovanie dotazníka;
- zber informácií štandardizovaným dopytovaním;
- hodnotenie, selekcia a analýza získaných údajov;
- spracovanie informácií do výslednej podoby.

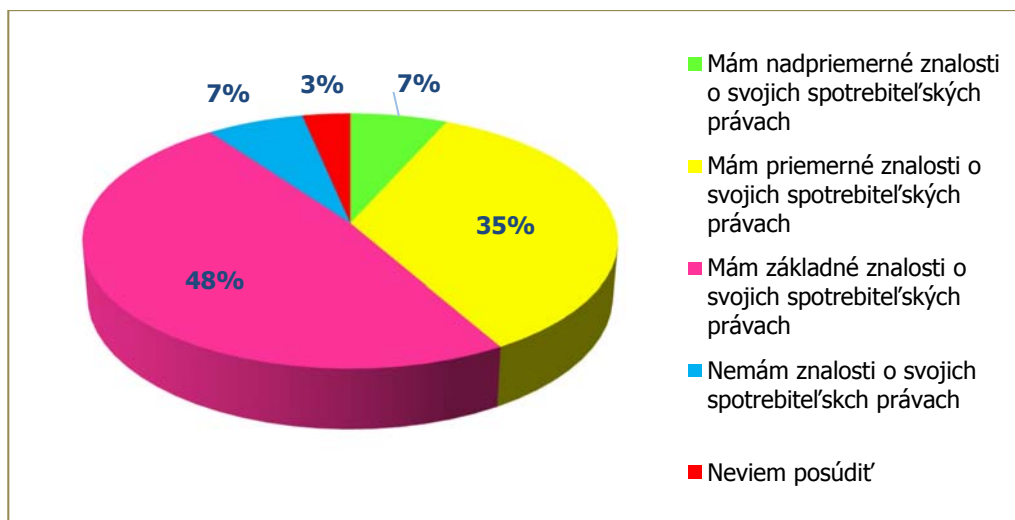
V dotazníku sme zisťovali všeobecné povedomie respondentov a ich informovanosť o problematike ochrany spotrebiteľa. Pýtali sme sa na ich práva, spotrebiteľské organizácie a všeobecný názor na túto problematiku. Základná vzorka tvorila 46,7 % ženského a 53,3 % mužského pohlavia. Z hľadiska veku dominovala v našej vzorke skupina respondentov vo veku 21–25 rokov, po nich nasledovala skupina vo vekovej škále 26–35 rokov, ďalej dopytovaní vo veku 56–65 rokov. Ďalšou skupinou boli respondenti vo veku 36–45 rokov. Najmenej početné skupiny tvorili respondenti vo veku 46–55 rokov a 16–20 rokov, pričom respondenti vo veku do 15 a nad 66 rokov sa prieskumu nezúčastnili. Z hľadiska najvyššie dosiahnutého vzdelania prevládali so 41,7 % respondenti s vysokoškolským vzdelaním I. stupňa a hneď za nimi tvorilo 33,3 % skupina ľudí so stredným vzdelaním s maturitou. 20 % respondentov tvorili vysokoškolskí vzdelaní ľudia s II. stupňom, 3,3 % dopytovaní s vysokoškolským vzdelaním III. stupňa a 1,7 % respondenti so stredným vzdelaním bez maturity. Spomedzi výberového súboru prevládajú dopytovaní z Bratislavského kraja, ďalej z Trenčianskeho a Prešovského kraja a Trnavského kraja. Malé percentá tvoria aj respondenti z Košického, Nitrianskeho a Žilinského kraja. Z kraja Banskobystrického nepochádzal ani jeden respondent.

Z uvedeného dotazníka vyberáme len určité znenie otázok a odpovedí, ktoré majú priamy súvis s problematikou daného príspevku. Vzhľadom na uvedenú vzorku sú výsledky prieskumu len orientačné. V príspevku uvádzame len určité časti a analýzy prieskumu.

Otázka 1: Označte, prosím, výrok, ktorý najpresnejšie vystihuje Vaše znalosti o spotrebiteľských právach pri nákupe tovarov a služieb.

Prvou otázkou sme chceli zistiť, ako respondenti hodnotia svoje znalosti o ich spotrebiteľských právach. Z prieskumu vyplýva, že 48,3 % respondentov považuje svoje znalosti o spotrebiteľských právach za základné, 35 % opýtaných si myslí, že má znalosti priemerné. Zhodné percento respondentov tvrdí, že nadpriemerné znalosti o svojich spotrebiteľských právach má a, naopak, nemá znalosti. Každá z týchto skupín tvorila 6,7 %. 3,3 % respondentov svoje znalosti posúdiť nevedelo.

Graf 1 Označte, prosím, výrok, ktorý najpresnejšie vystihuje Vaše znalosti o spotrebiteľských právach pri nákupe tovarov a služieb.

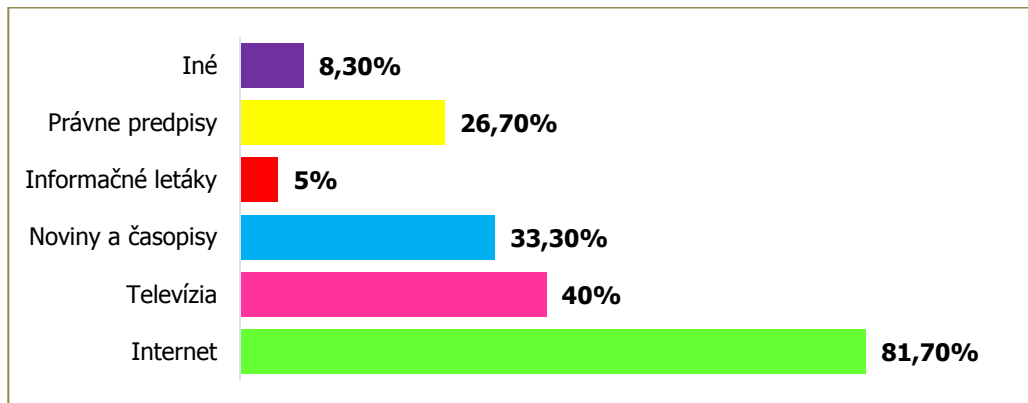


Zdroj: Mihálová, Korčoková 2016, vlastné spracovanie

Otázka 2: Z akých zdrojov získavate informácie o svojich spotrebiteľských právach?

Je veľmi dôležité, aby spotrebiteľia vedeli o svojich právach a povinnostiach, a preto hlavným cieľom všetkých inštitúcií je vychovať vzdelaného spotrebiteľa. Cieľom otázky bolo zistiť, z akých zdrojov získavajú respondenti informácie o ich spotrebiteľských právach. Až 81,7 % respondentov čerpá informácie z internetu, 40 % opýtaných získava informácie o svojich spotrebiteľských právach z televízie, 33,3 % z novín a časopisov. Respondenti, ktorí čerpajú informácie z právnych predpisov, tvorili 26,7 % opýtaných. Na získavanie informácií využíva informačné letáky 5 % dopytovaných a iné zdroje využíva 8,3 % respondentov.

Graf 2 Z akých zdrojov získavate informácie o svojich spotrebiteľských právach?

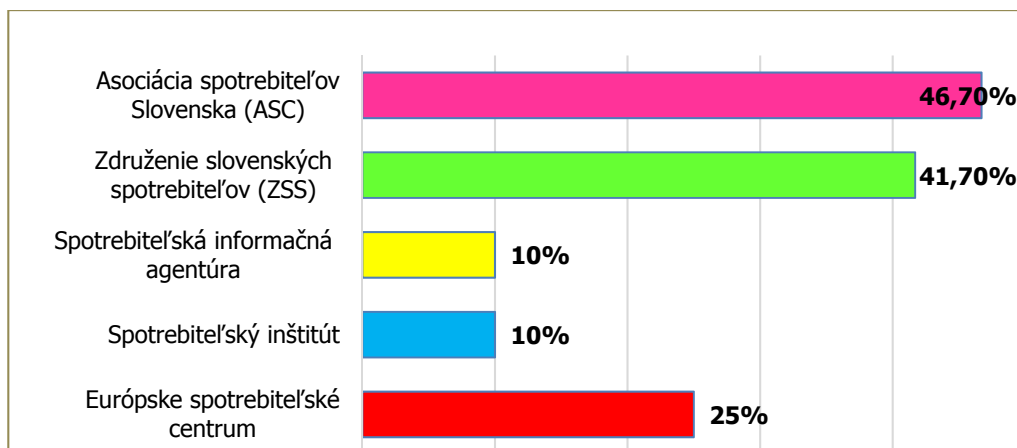


Zdroj: Mihálová, Korčoková 2016, vlastné spracovanie

Otázka 3: Poznáte niektoré z týchto spotrebiteľských organizácií?

Spotrebiteľské organizácie tvoria, zastávajú významnú úlohu v spolupráci a pomoci spotrebiteľom. V nasledujúcej otázke sme sa respondentov pýtali, či poznajú niektoré z organizácií: Asociácia spotrebiteľov Slovenska (ASC), Združenie slovenských spotrebiteľov (ZSS), Spotrebiteľská informačná agentúra, Spotrebiteľský inštitút a Európske spotrebiteľské centrum. Asociáciu spotrebiteľov Slovenska (ASC) poznalo 46,7 % respondentov, Združenie slovenských spotrebiteľov (ZSS) 41,7 %, iba 10 % opýtaných označilo Spotrebiteľskú informačnú agentúru, rovnako ako aj Spotrebiteľský inštitút. Európske spotrebiteľské centrum poznalo iba 25 % respondentov. Dopytovatí mali možnosť napísať aj iné organizácie, ktoré poznajú. Túto možnosť využilo iba pár respondentov. Ako odpoveď uviedli World Health Organisation, Consumers International, neziskovú organizáciu Spotrebiteľské centrum a S.O.S. Poprad.

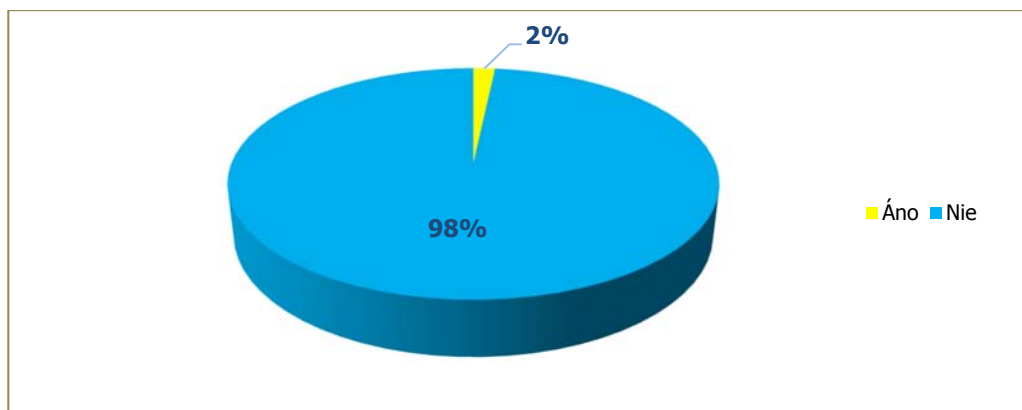
Graf 3 Poznáte niektoré z týchto spotrebiteľských organizácií?



Zdroj: Mihálová, Korčoková 2016, vlastné spracovanie

Otázka 4: Využili ste niekedy v minulosti služby týchto organizácií?

Aktivita spotrebiteľov pomaly narastá, no stále môžeme tvrdiť, že slovenskí spotrebiteľia sú pasívni. V otázke nás zaujímalo, či niekedy respondenti využili služby vyššie spomínaných organizácií. Tieto služby využilo iba 1,7 % opýtaných, zvyšných 98,3 % s tým skúsenosti nemá. Respondenti mali aj rozšírenú možnosť, aby napísali, ktorú organizáciu na aký účel využili. Oslovené bolo Spotrebiteľské centrum, nezisková organizácia, avšak účel konkretizovaný nebol.

Graf 4 Využili ste niekedy v minulosti služby týchto organizácií?

Zdroj: Mihálová, Korčoková 2016, vlastné spracovanie

Otázka 5: Čo si predstavujete pod pojmom suverénny spotrebiteľ?

V otázke sme sa respondentov pýtali, čo si predstavujú pod pojmom suverénny spotrebiteľ. Presná definícia suverénneho spotrebiteľa neexistuje, avšak odborníci sa zhodujú, že suverénny spotrebiteľ nemôže byť pasívny a rezignovať pri prvej komplikácii alebo probléme, ale i naopak, hľadať ďalšie možnosti uplatnenia svojich práv a nárokov. Najväčšie percento (55 %) respondentov uviedlo, že suverénny spotrebiteľ je taký, ktorý vie o svojich spotrebiteľských právach. Približne 30 % opýtaných tvrdí, že suverénny spotrebiteľ sa nenechá oklamať, a pre 23 % respondentov je suverénny spotrebiteľ taký, ktorý sebavedome vystupuje pri otázke znalosti práv spotrebiteľov. Uvádzame aj niektoré z odpovedí respondentov:

„Spotrebiteľ, ktorý má prehľad o svojich právach a povinnostiach, vie ich v prípade potreby v reálnom živote využiť a má viac ako priemerné informácie o daných skutočnostiach, vie, čo chce, a nedá sa rozhodiť, poprípade odbiť“ asertivitou, resp. nevhodným prístupom zo strany predávajúceho.“

„Suverénny spotrebiteľ je závislý iba sám od seba, kupuje si za svoje peniaze to, čo chce, a tým pádom aj ovplyvňuje to, čo budú výrobcovia vyrábať.“

„Spotrebiteľ pozná svoje práva a neváha si ich v prípade porušenia brániť, a to aj za cenu straty svojho času, pretože vie, že takéto konanie prispieva k zlepšeniu situácie nielen pre neho, ale aj pre ostatných.“

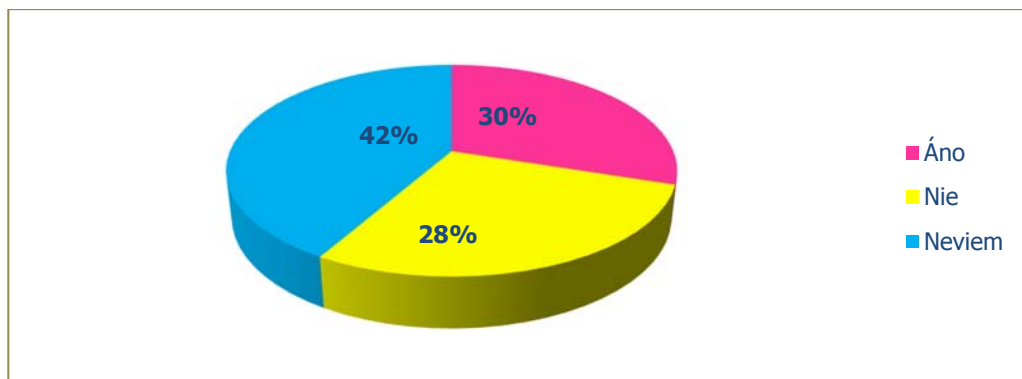
„Aktívny spotrebiteľ má znalosti o svojich právach a vie, na aké inštitúcie sa obrátiť v prípade porušenia práv.“

Vyjadriť sa na túto otázku nevedelo 17 % respondentov.

Otázka 6: Považujete sám seba za suverénneho spotrebiteľa?

V uvedenej otázke sme sa respondentov pýtali, či považujú sami seba za suverénneho spotrebiteľa. Za suverénneho spotrebiteľa sa považuje 30 % respondentov. Sám seba za suverénneho spotrebiteľa nepovažuje, naopak, 42 % opýtaných a 28 % dopytovaných sa k tejto otázke nevedelo vyjadriť.

Graf 5 Považujete sám seba za suverénneho spotrebiteľa?



Zdroj: Mihálová, Korčoková 2016, vlastné spracovanie

Otázka 7: Aký je Váš všeobecný názor na fungovanie spotrebiteľskej politiky v SR?

V otázke nás zaujímalo, aký je všeobecný názor respondentov na fungovanie spotrebiteľskej politiky v Slovenskej republike. 14 % opýtaných sa vyjadrilo, že spotrebiteľská politika je pasívna a neaktívna. Pre 12 % dopytovaných je malá informovanosť spotrebiteľov, nízka vymožiteľnosť práva a neaktívne spotrebiteľské organizácie. Za dobre fungujúcu spotrebiteľskú politiku v Slovenskej republike sa vyjadrilo 10 % respondentov a 4 % opýtaných tvrdilo, že situácia nie je najlepšia, ale vidia pokroky. Odpovede niektorých respondentov:

„Myslím si, že úroveň je dobrá, ale je to najmä kvôli predpisom, ktoré musela Slovenská republika prijať na základe členstva v Európskej únii.“

„Myslím si, že spotrebiteľské organizácie a združenia by mali byť aktívnejšie a viac podporovať a vzdelávať spotrebiteľov. Mali by dať aj o sebe vedieť, že existujú a je možné sa na ne obrátiť v prípade nejakého problému.“

„Nakoľko s týmto nemám žiadne skúsenosti a nezaoberal som sa zatiaľ takouto problematikou, resp. témou, tak neviem posúdiť.“

K tejto otázke sa nevedelo vyjadriť až 60 % respondentov.

Zhodnotenie prieskumu

Prieskum realizovaný na určitej vzorke slovenských spotrebiteľov o povedomí spotrebiteľov o ich právach, povinnostiach a postojoch k spotrebiteľskej problematike poukázal na nedostatočnú úroveň vzdelávania a nízku informovanosť v súvislosti s problematikou ochrany spotrebiteľa. Prieskum nám poukazuje na skutočnosť, že spotrebiteľia sú mnohokrát pasívni a neuplatňujú si svoje práva. Vzhľadom na uvedené skutočnosti si dovoľujeme navrhnúť nasledovné odporúčania.

Zintenzívnenie vzdelávania spotrebiteľov a ich informovanosti. Z prieskumu nám vyplynulo, že najviac informácií o spotrebiteľskej problematike získavajú respondenti prostredníctvom internetu (81,07 %). Veľmi často sme však vystavení situácii, že informácie na internete nie sú pravdivé alebo sú zavádzajúce. Preto je nesmierne dôležité vedieť si vybrať zdroj, z ktorého informácie čerpáme. Nakoľko dnešná doba je dobou internetu, navrhovali by sme vytvorenie internetového portálu, ktorý by spotrebiteľom pomáhal v orientácii v ich právach, povinnostiach. Spotrebiteľia by mali k dispozícii konkrétne modelové situácie, ktoré by im pomáhali pri riešení problémov. Napríklad pri reklamáciách alebo vrátení výrobku nakúpeného cez internet by boli uvedené jednotlivé kroky, ako má spotrebiteľ postupovať. Tento informačný portál by bol prepojený na stránky RAPEX-u, RASFF a Slovenskej obchodnej inšpekcie, aby spotrebiteľia vedeli nájsť všetky potrebné informácie na jednom mieste. Nevyhnutnou súčasťou by bola aj možnosť on-line poradne a fórum, kde by vyškolení odborníci pomáhali spotrebiteľom pri riešení ich konkrétnych problémov. Podobný projekt už bol realizovaný prostredníctvom Európskej únie – projekt Dolceta (Developing On-line Consumer Education Tools for Adults – Rozvoj on-line vzdelávacích nástrojov pre spotrebiteľov) alebo projekt Consumer Classroom, ale nedosiahli až takú očakávanú sledovanosť a návštevnosť. Opätovne to bolo spojené s nedostatočnou propagáciou daných projektov verejnosti.

Pre staršie generácie občanov, ktorí nemajú prístup k internetu alebo ho intenzívne nevyužívajú, by boli informácie poskytované prostredníctvom rubriky v denných novinách, týždenníkoch a regionálnych novinách. Spotrebiteľia by tak mali k dispozícii konkrétne informácie, ktoré by im urobili prehľad v problematike ochrany spotrebiteľa, ich práv či aktuálnom dianí v tejto sfére. V zahraničí existujú taktiež spotrebiteľské časopisy. Navrhovali by sme osvojenie podobného modelu, ktorý by kvartálne informoval spotrebiteľov čo je nové, prinášal by im všetky potrebné informácie a pomoc.

Najlepším vzdelaním je prevencia, a preto by sme odporúčali zaviesť vyučovací predmet „Ochrana spotrebiteľa“ na základných a stredných školách. Zodpovední pedagógovia by vzdelávali žiakov a zvyšovali ich gramotnosť v tejto sfére. Venovali by sa témam ako bezpečnosť potravín, bezpečnosť liekov, finančnej gramotnosti, spotrebiteľským právam a povinnostiach, zraniteľným skupinám spotrebiteľov a mnohým ďalším zaujímavým témam.

Z uvedeného prieskumu vyplýva, že celková informovanosť spotrebiteľov nie je dostatočná – v niektorých situáciách dokonca je veľmi nízka. Spotrebiteľia sú voči spotrebiteľskej politike u nás na Slovensku kritickí. Úlohu informovanosti spotrebiteľa by mal jednoznačne zastrešiť štát a spotrebiteľské organizácie. Situácia so spotrebiteľskými organizáciami je však veľmi rozmanitá v jednotlivých členských krajinách EÚ. Nedostatok financií spôsobuje skutočnosť, že spotrebiteľské organizácie nefungujú tak, ako by si spotrebiteľia predstavovali. Najmä organizácie fungujúce na vnútroštátnej úrovni často nemajú dostatok zdrojov a odborných skúseností a ich úloha pri triedení a filtrovaní obáv

spotrebiteľov nie je vždy náležite uznaná. V Slovenskej republike je štátnych organizácií, združení či neziskových organizácií, ktoré sa zaoberajú problematikou ochrany spotrebiteľa, veľmi veľa. Ich vzájomná spolupráca je na nízkej úrovni a taktiež informovanosť spotrebiteľov o existencii týchto organizácií je len mizivá. Každá z organizácií má podobný cieľ s menšími odchýlkami. Navrhovali by sme, aby sa tieto inštitúcie zjednotili do menšieho počtu väčších inštitúcií, ktoré by za dosiahnutím cieľov pracovali spoločne. Navrhujeme zriadenie jednej zastrešujúcej organizácie, ktorej úlohou by bolo usmerňovanie ostatných organizácií, spolupráca s vládnymi inštitúciami, propagácia týchto organizácií medzi spotrebiteľmi a vydávanie informačných letákov a brožúr. Situácia so spotrebiteľskými organizáciami je v jednotlivých členských krajinách EÚ veľmi rozdielna. V niektorých krajinách, ako je napr. Nemecko, Rakúsko, Taliansko, Španielsko, je zastúpenie nezávislých organizácií veľmi silné. Na druhej strane najmä bývalé postkomunistické krajiny vrátane Slovenska majú tento sektor veľmi slabo zastúpený, čo je na škodu samotného spotrebiteľa.

Vzhľadom na uvedené skutočnosti (nízky počet respondentov) zdôrazňujeme, že naše tvrdenia sú len orientačné a nepredstavujú celoslovenskú vzorku.

2.3 Prieskum - Finančná gramotnosť

Finančné rozhodnutia sprevádzajú ľudí počas ich celého života. Majú veľký vplyv a výrazne ovplyvňujú ich životnú úroveň. V dnešnej dobe sa finančný sektor rýchlo rozvíja a prináša ľuďom veľkú ponuku produktov a služieb. Tie naberajú rozsah a zložitosť, ktoré predstavujú zároveň riziko nesprávnych finančných rozhodnutí, ktoré môžu mať dlhodobé negatívne dôsledky pre jednotlivcov. Bez ohľadu na to, či má človek dostatočné množstvo finančných prostriedkov alebo ich má menej, finančná gramotnosť je v dnešnom svete otázkou prežitia. Nedostatočná finančná gramotnosť vedie jednotlivcov k tomu, že finančné prostriedky nevedia správne spravovať.

„Finančná gramotnosť je schopnosť využívať poznatky, zručnosti a skúsenosti na efektívne riadenie vlastných finančných zdrojov s cieľom zaistiť celoživotné finančné zabezpečenie seba a svojej domácnosti.“ (MŠVVaŠ SR, 2017)

V rámci prieskumu, ktorý bol organizovaný na Ekonomickej univerzite v roku 2017 (Mikulecová, Korčoková, 2017) (DP 2017, Bc. Michaela Mikulecová, Ochrana spotrebiteľa v konkrétnej sfére, evidenčné číslo: 102002/I/2017/3856249581) so zameraním získať informácie o úrovni finančnej gramotnosti spotrebiteľov v rôznych vekových kategóriách, uvádzame niektoré zaujímavé skutočnosti. Kvantitatívny prieskum bol realizovaný formou dotazníka na vybranej vzorke respondentov zo Slovenska v roku 2017 (vzorka 100 respondentov). Dotazník bol respondentom distribuovaný osobne a elektronicky prostredníctvom internetového linku. Početnú časť respondentov tvorili ženy s počtom 64 a mužov bolo 36 z celkového počtu respondentov. Respondenti boli rozdelení do troch vekových kategórií z ktorých 58 bolo vo veku od 18 do 34 rokov, 24 respondentov bolo vo veku od 35 do 54 rokov a 18 z nich bolo vo veku od 55 rokov a viac. Respondentom sme poskytli možnosť zatriediť sa do kraja, z ktorého pochádzajú, a vyšlo, že najviac z nich ktorí dotazník vyplnili pochádzalo z Bratislavského, Trnavského a Nitrianskeho kraja. Ostatné kraje boli v dotazníku obsiahnuté tiež, ale v menšej percentuálnej miere

ako predošlé tri, ktoré boli spomenuté vyššie. Získané údaje sme zhromaždili a analyzovali prostredníctvom programu Click 4 Survey.

Z uvedeného dotazníka vyberáme len určité znenie otázok a odpovedí, ktoré majú priamy súvis s problematikou daného príspevku. Prvá časť otázok dotazníka je orientovaná na všeobecný názor respondentov na finančnú gramotnosť. Druhá časť dotazníka je zameraná na preverenie finančných vedomostí respondentov. Vzhľadom na uvedenú vzorku sú výsledky prieskumu len orientačné. V príspevku uvádzame len určité časti a analýzy prieskumu.

Tab. 1 „Myslíte si, že ste finančne gramotný, t. j. že sa vyznáte v oblasti osobných financií (osobný účet, poistenie, úvery, investovanie)?“

	Áno	Nie
Respondenti	83	17
%	83,00	17,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Z tabuľky 1 vyplynulo, že až 83 % z opýtaných respondentov tvrdí, že si o sebe myslia, že sú finančne gramotní, naopak 17 % o sebe tvrdí, že nie sú finančne gramotní.

Tab. 2 „Je podľa vás potrebné zvyšovať úroveň finančnej gramotnosti obyvateľstva na Slovensku?“

	Áno	Nie
Respondenti	99	1
%	99,00	1,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Z tabuľky 2 s určitou výplnou vyplynulo, že skoro všetci respondenti, čiže 99 %, si myslia, že je potrebné zvyšovať úroveň finančnej gramotnosti, vzdelanosti na Slovensku.

Tab. 3 „Ktorý subjekt by mal byť podľa Vás zodpovedný za zvyšovanie úrovne finančnej gramotnosti obyvateľstva na Slovensku?“

	Štát	Banky, poisťovne a ostatné finančné inštitúcie	Každý obyvateľ sám za seba a za svoju rodinu
Respondenti	48	14	38
%	48,00	14,00	38,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Z tabuľky 3 vyplynulo, že väčšina, a to v prepočte 48 % respondentov, si myslí, že zodpovedný za úroveň finančnej gramotnosti má byť štát. V druhom rade až 38 % bolo za názor, že za zvyšovanie úrovne by mal byť zodpovedný každý obyvateľ sám za seba a svojich rodinných príslušníkov. 17 % si myslí, že aj banky a ostatné finančné inštitúcie by sa mali podieľať na tejto skutočnosti.

Tab. 4 „Kto vás najviac učil orientovať sa vo svete financií, resp. poskytol Vám niekto finančné vzdelanie?“

	Škola	Rodina	Zamestnávateľ	Nikto
Respondenti	24	22	29	25
%	24,00	22,00	29,00	25,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Z tabuľky 4 vyplynulo, že zo všetkých opýtaných respondentov 29 % najviac pomohol vo svete financií sa orientovať zamestnávateľ, pre 24 % to bola škola a 22 % z opýtaných niekto z rodiny. 25 % respondentov nikto neučil finančníctvu a ani im nikto neposkytol finančné vzdelávanie.

Tab. 5 „Viete určiť rozdiel medzi kreditnou a debetnou kartou?“

	Kreditná karta je platobná karta, ktorá je formou bankového úveru, a majiteľ využíva peniaze z banky, debetná karta je naviazaná na bežný účet a možno ňou čerpať prostriedky do výšky disponibilného zostatku na bankovom účte,	Debetná karta je platobná karta, ktorá je formou bankového úveru a majiteľ využíva peniaze z banky, kreditná karta je naviazaná na bežný účet a možno ňou čerpať prostriedky do výšky disponibilného zostatku na bankovom účte,	Nie je medzi nimi žiadny rozdiel,
Respondenti	77	20	3
%	77,00	20,00	3,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Táto otázka je zameraná na priame zisťovanie finančnej úrovne respondentov. Správna odpoveď tejto otázky bola: „Kreditná karta je platobná karta, ktorá je formou bankového úveru a majiteľ využíva peniaze z banky, debetná karta je naviazaná na bežný účet a možno ňou čerpať prostriedky do výšky disponibilného zostatku na bankovom účte.“ Z tabuľky 5 vyplynulo, že 77 % respondentov vedelo rozdiel medzi kreditnou a debetnou kartou, 20 % nevedelo rozlíšiť rozdiel medzi nimi a zvyšné 3 % si mysleli, že rozdiel medzi nimi nie je žiadny.

Tab. 6 „Aký je rozdiel medzi infláciou a devalváciou?“

	Žiadny	Inflácia označuje pokles hodnoty peňazí, devalvácia označuje pokles hodnoty meny.	Inflácia označuje pokles hodnoty meny, devalvácia označuje pokles hodnoty peňazí.
Respondenti	3	78	19
%	3,00	78,00	19,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Správna odpoveď tejto otázky znela: „Inflácia označuje pokles hodnoty peňazí, devalvácia označuje pokles hodnoty meny“. Z tabuľky 6 vyplynulo, že početná časť respondentov až 78 % vedela túto správnu odpoveď, 19 % z respondentov si mýlilo pojmovo rozdiel hodnoty meny a hodnoty peňazí a zvyšné 3 % rozdiel v pojmoch nevideli.

Tab. 7 „Chcete si uzavrieť životné poistenie a očakávate väčšiu stabilitu a nižšie riziko. Ktorý druh poistenia si zvolíte?“

	Investičné životné poistenie	Kapitálové životné poistenie
Respondenti	38	62
%	38,00	62,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Táto otázka bola zameraná na uvedenie si, aké poistenie respondent potrebuje pri zvolených kritériách. Správna odpoveď bola: „Kapitálové životné poistenie.“ Z tabuľky 7 vyplynulo, že 62 % z opýtaných respondentov by sa rozhodla v praxi správne a 38 % by išlo do väčšieho rizika pri nevedomosti rozdielu medzi týmito poisteniami.

Tab. 8 „Vložili ste si 500 eur do banky na 3 roky. Ročná úroková miera (p. a.) je 10 %. Koľko peňazí budete mať na účte po 3 rokoch bez započítania dane?“

	650 eur	665,50 eur	Neviem
Respondenti	53	40	7
%	53,00	40,00	7,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

Táto otázka bola zameraná na priame počítanie. Respondenti si mali uvedomiť, ako správne tento príklad treba vypočítať, nakoľko sú dva možné výpočty, ale iba jeden bol

správny. Pri každom výpočte vyšla jedna zo sumy zvolenej v tabuľke, preto bolo potrebné si vzorec pre výpočet vedieť uvedomiť logicky. Správna odpoveď bola : „665,50 eur.“ Početná časť respondentov, a to 53 %, odpovedala nesprávne, 40 % správne a 7 % zaujalo neutrálny postoj.

Tab. 9 „Chcete si vložiť peniaze na termínovaný vklad a banka Vám ponúkne termínovaný vklad na rok s úrokom 2,5%. Predpokladaná miera inflácie je 3,5%. Akú kúpnu silu budú mať Vaše vložené peniaze po 12 mesiacoch?“

	Nižšiu ako dnes	Vyššiu ako dnes	Rovnakú ako dnes
Respondenti	74	19	7
%	74,00	19,00	7,00

Zdroj: Mikulecová, Korčoková, 2017, vlastné spracovanie

V tejto otázke si respondenti mali uvedomiť jednu zásadnú vec, že keď je percentuálna miera inflácie vyššie percento ako úrok, bude kúpna sila peňazí vždy nižšia. Správna odpoveď teda bola: „Nižšiu ako dnes.“ Z tabuľky vyplynulo že, až 74 % respondentov túto odpoveď označilo správne,

19 % si túto skutočnosť neuvedomilo a označilo, že kúpna sila bude vyššia a pre 7 % bude rovnaká.

Zhodnotenie prieskumu

Z prieskumu nám vyplynulo, že úroveň finančnej gramotnosti opýtanej vzorky respondentov je na pomerne dobrej úrovni, než ako sme očakávali. Potvrdilo sa nám, že nezáleží na veku respondenta, nakoľko mnohí vo vekovej kategórii 18–34 rokov dopadli horšie ako respondenti vekovej kategórie 55 a viac rokov. Veľkú úlohu v tom zohráva to, že v dnešnej dobe je už viac organizácií a inštitúcií, ktoré vzdelanie ponúkajú. Školstvo sa snaží školám pripraviť možnosť zapracovať matematické – finančné predmety do učebných osnov. Spotrebitelia v strednom a pokročilom veku si informácie môžu samostatne vyhľadávať prostredníctvom dostupných knižných, časopiseckých alebo internetových zdrojov. Veľmi dôležitou skutočnosťou je najmä možnosť, vzdelávania sa v oblasti finančnej gramotnosti. Vzhľadom na fakt, že v mnohých situáciách sú to kľúčové životné rozhodnutia, spotrebiteľ by mal byť na takéto rozhodnutia dostatočne pripravený.

Na základe vyhodnotenia dotazníka a jednotlivých názorov respondentov sme dospeli k nasledujúcim odporúčaniam a návrhom, pokračovať v rozvoji jednotlivých vzdelávacích programov zameraných na finančnú gramotnosť. V rámci Slovenskej republiky sa rozbehlo niekoľko veľmi užitočných vzdelávacích programov zameraných na určité kategórie spotrebiteľov. Napríklad program „Škola rodinných financií " pre zraniteľné skupiny spotrebiteľov, program "Ja Slovensko –Viac ako peniaze" slúži na podporu finančnej gramotnosti žiakov a učiteľov na Slovensku. Ekonomická univerzita Bratislava

pripravila v rámci Univerzity tretieho veku UTV – dva nové programy „Finančná gramotnosť“ a „Ochrana spotrebiteľa vo finančných veciach“ pre seniorov. Sú to veľmi prospešné vzdelávacie programy. Chybou je však pomerne nízke povedomie spotrebiteľov o možnosti využitia daných programov.

Významnú úlohu pri šírení finančnej gramotnosti zohráva škola a vzdelávanie všeobecne. Finančná gramotnosť sa presadila ako samostatná téma v dobe poslednej svetovej ekonomickej krízy. Odporúčame posilniť vzdelávanie finančnej gramotnosti žiakov už na základných a stredných školách. Dôležité je zamerať výučbu žiakov na školách viac na hodiny finančných matematických výpočtov ako teoretických kurzov. Táto možnosť sa čiastočne uskutočňuje už prostredníctvom Programu "Ja Slovensko - Viac ako peniaze." Neexistujú však žiadne štatistiky koľko kurzov z tohto programu bolo vyučovaných ani koľko škôl sa do programu zapojilo. Bolo by dobre prostredníctvom médií, letákov, informácii priamo do škôl a workshopov tento program viac vyzdvihnúť a zaviesť pre všetky školy.

ZÁVER

Z jednotlivých čiastkových prieskumov, ktoré uvádzame, vyplýva potreba zlepšenia gramotnosti spotrebiteľov, s čím je spojené vzdelávanie spotrebiteľov, ktoré súvisí s dostatočnou informovanosťou spotrebiteľov.

Informácia – vzdelávanie – gramotnosť – suverenita spotrebiteľa

Snahou spotrebiteľskej politiky každej krajiny by malo byť vychovať z nás „suverénnych spotrebiteľov“. Suverenitu spotrebiteľa po prvýkrát začal propagovať Hutt v roku 1930. „Myšlienkovito prepojil samostatne určujúce konanie, slobodnú voľbu spotrebiteľov a postulát spotrebiteľskej demokracie, podľa ktorého celá moc štátu pochádza z ľudu“ (Steffens, 2006). Suverenita spotrebiteľa je výsledkom fungovania trhového mechanizmu. Pri častých problémoch s obchodníkmi by nemal byť spotrebiteľ pasívny a rezignovať, ale mal by hľadať ďalšie možnosti uplatnenia svojich práv a nárokov. Daný cieľ sa dokáže splniť, pokiaľ budú navzájom jasne prepojené inštitucionálne aj legislatívne opatrenia spotrebiteľskej politiky. Časté zmeny vo sfére legislatívnych opatrení a následne aj inštitúcií v problematike ochrany spotrebiteľa vyvolávajú v nás spotrebiteľoch neistotu a pasivitu. Je nevyhnutné vytvoriť prehľadný a komplexný zákon, ktorý by riešil problematiku ochrany spotrebiteľa a bol by jasným a zrozumiteľným pre každého z nás. V súčasnosti Ministerstvo hospodárstva SR takýto materiál pripravuje pod názvom „Kódex spotrebiteľa – Zákoník spotrebiteľa“. Veríme, že daný dokument pomôže zefektívniť celkové fungovanie spotrebiteľskej politiky v SR.

Cieľom spotrebiteľskej politiky Európskej únie je poskytnúť občanom EÚ skutočné a reálne výhody a práva. Na dosiahnutie jednotlivých cieľov spotrebiteľskej politiky je potrebné sústrediť sa najmä na samotného spotrebiteľa a jeho vzdelávanie. Aby sa spotrebiteľ mohol považovať za suverénneho spotrebiteľa, musí poznať a vedieť využívať jednotlivé nástroje spotrebiteľskej politiky. Je preto nevyhnutné zo strany Európskej únie a jej jednotlivých členských krajín vyvíjať snahu o čoraz väčšie vzdelávanie spotrebiteľa.

Právo na informácie, informovanosť, právo na spotrebiteľské vzdelávanie aj spotrebiteľskú výchovu patria k základným právam spotrebiteľov.

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Indication of Changes in Projecting Organizational Structures under the New Economy

Petra Pártlová¹

Abstract

Enterprise Architecture includes organizational and management part and visions and goals of the organization, business processes leading to the goals, innovation processes, control mechanisms, information and communication technologies and others. The paper focuses on one of the most important components of corporate architecture, organizational and management framework of an enterprise in terms of its present state and anticipated changes and the expected development in the context of the emerging new economy. The research was carried out in a sample of 372 enterprises from the whole Czech Republic with the sector (industrial, manufacturing, services and primary sector) and size differentiation (micro-enterprises, small and medium-sized enterprises and large enterprises according to the classification of Ministry of Industry and Trade of the Czech Republic and the EU). The statistical methods were used (p-value with Pearson Chi square output) to analyses the results. The conclusion indicates a possible development in the corporate organization architecture in the context of the paradigm of changes in the external corporate environment.

Key words

Enterprise architecture, organizational and management framework for business, new economy, external business environment.

JEL Classification: L20, L25

Introduction

With emerging a new economy, seen by Cook (2004), De Cock at al. (2005), Eris and Saatcioglu (2007), Štědrón at al. (2009), Kislingerová (2011), and Li and Liu (2011), as the economy with significant changes, especially in the external environment, there is an urgent need of dealing with changes in existing enterprise architecture including the organizational and management framework. The authors (Lansley 1994; Galbraith & Lawler 1998; Ashkenas at al. 2005; Friesen 2005) believe that the success and performance of enterprises in the future should be based on speed, flexibility, adaptability, agility and integration capability of the enterprises, and on new organizational and managerial relationships and links. Hunter (2002) notices that enterprises need to improve continually. They should innovate their corporate architecture. Then, the task of managers is to determine the direction of development towards adaptable and innovative organizations. Hunter (2002) and Birkinshaw at al. (2002) and Cooper (2004) emphasize the important role of adopting new innovative structures in an organization

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to achieve higher organizational goals. Hunter (2002), Drucker (2007), Johannessen and Skaalsvik (2014) add that organizations should improve continually. They must innovate. Their managers must determine the direction of development towards adaptable and innovative organizations. They found that the current organizational structures need to be changed to achieve higher organizational goals.

As highly vertical and horizontal differentiated organizations are still used in our enterprises, organizational and management barriers, especially in innovative processes, are more and more common as noticed by Ashkenas et al. (2005) and Koster (2014). The rigidity of old structures and their inability to respond flexibly to environmental demands are significant weaknesses in many enterprises. There is consensus that companies respond to new stimuli (e.g. technological and market global changes) by creating new organizational structures (Senge, 1994). On the other hand, other authors warn of these considerations regarding the fundamental re-engineering of the corporate framework. They say that the interference in the development and re-organization of links should not be carried out widely. Ford and Randolph (1992) and Binney and Williams (1995), for example, argue that structural change demands are often just a response to a fashion trend, and that the popularity of "cross-functional organizations" is just one of a many fashion trends. Bridge and Tisdell (2004) and Bryan and Joyce (2005) propose a simpler solution - leaving the advantage of the hierarchical structure and streamlining and simplifying the vertical and linear management, supporting better collaboration and networking. Banner (1995) refers to the costs of the development and implementation of a new organic structure for an enterprise seen as insignificant.

Banner (1995) also notes that the paradigm is not just a shift. People who are satisfied with the bureaucratic structure that corresponds to their paradigmatic beliefs and assumptions will have difficulty in taking over the organic structure. Only large-scale structural changes do not necessarily lead to the transformation of an organization or to its efficiency and performance. Mabey et al. (2001) highlight the efforts of large companies to increase efficiency through the reduction and restructuring of existing organizational structures. However, the changes have not led to any long-term significant increase in efficiency and performance. The organization of the 21st century must find a way to spontaneously shape and reform the executive multidisciplinary teams as a natural way of working. By Miller, this reformation can be achieved (Hesselbein et al., 1997) as follows: the organization adapts to changes in the market environment and the organizational structure fluctuates smoothly to absorb all these changes. Teams will be formed depending on the problem being solved. So, as the problems will be solved gradually, some teams will disappear and others will emerge. The authors perceive the existence of cross-functional and multidisciplinary teams as an advantage to the organization (Katzenbach & Smith 1993; Senge 1994; Yeatts & Hyten 1998; Castka et al., 2001). Undoubted advantages are experienced by teams of experts, as they adapt faster and more flexibly to a changing environment (Parker, 1994). These teams are more creative and more focused on customers. Strengthening the powers of these teams also has its disadvantages. Strengthening the powers of self-managed teams can often be counterproductive. An attempt to implement self-managed teams into the organizational structure can result in frustration for both staff and management if they do not adapt to the requirements of self-control (Tata & Prasad, 2004). Many organizations have restructured their structure to better meet new challenges such as globalization requirements, growing competition, continuous technological innovation, or custom-tailored

services and products. Beside this, Snow at al. (1996) suggest that the pace of emerging products and technological change will accelerate. New markets will be created. The competitive pressures will arise. This is a challenge for the emergence of new organizational structures that will enable companies to quickly deploy new products and enter new markets, and manage business operations more efficiently.

Network and process structures were created by expanding the matrix structures. They focus on horizontal processes and networking of multifunctional teams. A well-developed information network is a prerequisite. The network structure is complex, flat with a large control system focused on creating and maintaining customer relationships (Bartlett & Goshal, 1997). The basic co-ordination mechanism is team collaboration and customer satisfaction as the main influence on the decision process. Communication takes place in several directions between individual teams, and the managers are owners of individual processes and have sufficient qualifications to enable subordinates to show initiative, to collaborate, and to train (Hunter, 2002). The network structure may not only include teams or functional units within a single organization, but may also involve more enterprises with the same interest. A process-oriented approach comes with new needs, such as the quality of information needed for the decision-making process, or the need to spend more time jointly, so that everyone involved can properly understand who owns the process, and how to enter the decision-making process. On the other hand, this form of organization offers greater scope for promoting local interests of individual groups and for conflicts (Galbraith et al., 2002). By building up versatile multifunctional units within a network organization, not only time savings can be achieved by the management but also it is possible to accelerate the decision-making process itself, including overcoming barriers. Building network structures will allow flexibility and increased adaptability of enterprises (Galbraith at al., 2002; Jones 2012). The interconnection of processes across organizations increases employee involvement and their interest and understanding of the mission and the goal of an enterprise. Current time brings emerging new challenges and opportunities. These responses respond flexibly to those companies who set up independent teams quickly with a strong common interest and focusing on customer requirements and needs. Such teams are called a cell, and the organizational structure linking these cells to the stack is called a "cellular organization." Comparing the teams to a cell, is a best idea seeing the self-operating parts (teams) that respond individually and flexibly to opportunities or unexpected events, always in accordance with the rules and interests of the whole organization. This approach of self-regulation is completely different from the concept of the need for external guidance of individual units (Miles et al., 1997). A critical factor in the cellular management structure is based on its decentralization, the democracies and the autonomy of the parts (Hunter, 2002; Harris & Raviv, 2002). The decision-making process is implemented on a collaborative basis and guided by customer needs. Creativity and initiative are a basic competitive advantage. Communication takes place between individual cells and the available technologies allow them to set up the form of functioning that best suits the cell. The role of management is to secure the technological, knowledge and thought flow across the organization to enable and motivate individual cells to achieve success (Hunter, 2002).

The authors want discussion about the necessary changes in organizational structures in line with changes taking place in the external environment of enterprises.

1 Methodology

The research was carried in the sample of 456 enterprises from the Czech Republic. A comprehensive questionnaire survey was used. The sample included 109 micro-enterprises, 140 small enterprises, 124 medium-sized enterprises and 83 large enterprises.

The predominance of small and medium-sized enterprises in the sample corresponds to the structure of economic entities in the Czech Republic, characterized by very high share of small and medium-sized enterprises. During testing, the number of enterprises varies depending on the type of query. Data includes information about enterprises that did not answer to questions about enterprise architecture, particularly because of their small organizational framework and a one-step, directive way of managing, these were micro-enterprises in the sector of services. The aim of the paper was to analyze the current state of enterprise architecture from the point of view of the organizational and management framework in the sample of enterprises from the Czech Republic. At the beginning of the research, the slope (the number of management steps in the respective enterprise) and the corporate architecture were assessed from the point of view of sector and size differentiation. The content of the main analytical part was the analysis of the types of organizational and management structures (OMS). Uniform management structure, divisional control structure, combined control structure and other organizational and management structures were tested in terms of frequency of occurrence depending on the size and sectoral nature of the enterprise. The relation between the type of OMS and the profitability of the enterprise was also monitored. The statistical methods were used (p-value with the Pearson Chi test quadrant). Tests were performed at a standard significance level of 0.05, i.e. 95 % confidence. The end of the paper indicated the expected development of corporate organizational architecture in the context of the paradigm of changes in the external corporate environment.

2 Results and Discussion

The first research area was the "slope" of organizational structures, the number of management levels in the enterprise. The analysis of the sample (Table 1) revealed that the slope does not depend on the sector ($P. = 0.1325$). Such result was not predicted by the author, and it is a significant change from the results of a similarly focused research conducted in the 80's and the 90's of the last century, when such dependence was very significant.

Table 1 Slope of the management structure does not depend on the focus of the enterprise

Number Focus	Management levels				Total
	1	2	3	4+	
primary sector	5	4	3	2	14
services	97	74	49	29	249
manufacturing and industry	56	42	64	26	188

manufacturing and industry, services	1	1	2		4
manufacturing and industry, services, primary sector			1		1
Total	162	124	120	58	456

Source: author's analysis

In addition to generally valid factors such as the effects of the external environment, increasing competitive pressure, ownership structure, a complementary explanation of this fading says that the number of management levels significantly influences the development of information technology, the qualification structure of employees, especially at management levels. The factor of complexity of applied technologies and links to foreign markets are more important than the focus of the enterprise. The partial analysis of supplementary questions shows that mostly in case of enterprises whose headquarters are outside the territory of our republic there is a lower number of management degrees, it is the opposite for the enterprises owned by domestic entrepreneurs.

The next part of the analysis tested the dependence of the organizational structure on the size of the enterprise and the focus of the company, as shown in Table 2 and 3.

Table 2 Dependence of the organizational and management structure of the enterprise on its size

Size	organizational and management structure			Total
	Divisional structure	Combined structure	Unit structure	
small enterprise (less than 50 employees)	8	18	102	128
micro enterprise (less than 10 employees)		8	78	86
medium enterprise (up to 250 employees)	13	9	99	121
large enterprise (250+ employees)	7	25	46	78
Total	28	60	325	413

Source: author's analysis

Note: Enterprises that did not know or did not fall into the divisional combined and unit structure categories (413 enterprises used for the analysis) were filtered.

A dependence of the type of structure on the size was proved (P .value = 1.649e-06, V = 0.2999). Unit structure is the most common (micro-enterprises = 90 %, small enterprises = 80 %, medium-sized enterprises = 65 %, large enterprises = 50 %). Divisional structure is the most common with medium-sized enterprises (23%) and combined structure is the most common with large enterprises (35 %). A more detailed analysis of the sub-questions revealed, there is a significant terminological illiteracy in some business managers, which is a challenge especially for universities. At the same time, the trend of retreat from traditional business structures was fully confirmed at the

expense of the unit structures. This result is further amplified by the fact that this trend is the most intense in the largest size groups, which is very important in terms of their future prosperity, but at the same time it is understandable.

Table 3 Dependence of the organizational and management structure of the enterprise on its scope

Number	management structure			
	Divisional structure	Combined structure	Unit structure	Total
primary sector		1	9	10
services	20	32	174	226
manufacturing and industry	7	28	139	175
manufacturing and industry, services		1	4	4
manufacturing and industry, services, primary sector			1	1
Total	27	62	327	416

Source: author's analysis

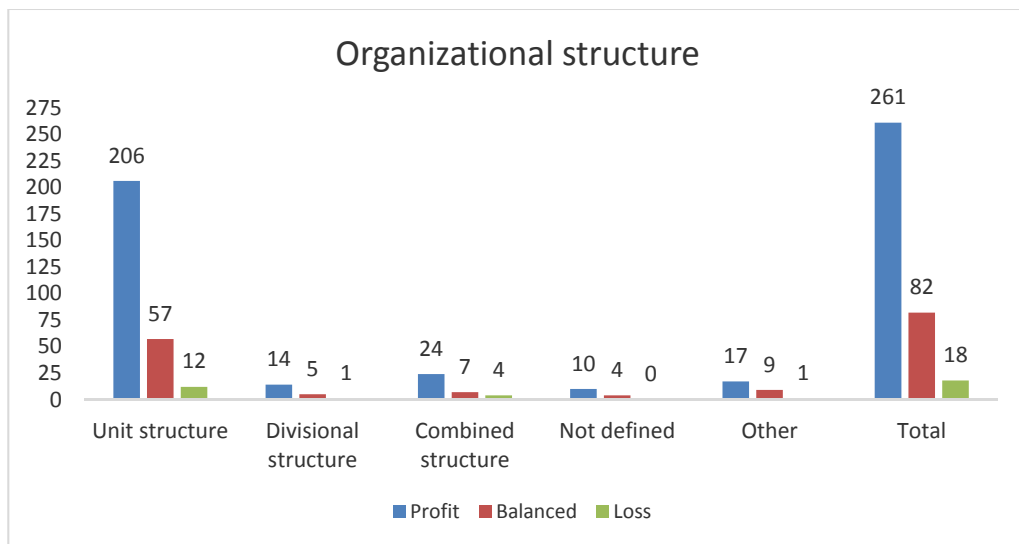
Note: Enterprises that did not know or did not fall into the divisional combined and unit structure categories (416 enterprises used for the analysis) were filtered.

A comprehensive analysis significantly proved the predicted development of corporate management structures based on the transformation of classical structures (divisional, combined) into unit management structures. There is a gradual retreat of classical organizational structures such as divisional and combined structures, into the unit structures. Such a trend was subjected to sectoral orientation testing. It was proved that the process of transition to unit organizational structures is not dependent on the sectoral (production) orientation $P. = 0.81$. The factors causing this development will be subjected to further analyses in the research. However, it is assumed that a wide range of factors are involved in this process, mostly from the internal environment of an enterprise. An example of this is the increasingly intensive process of manufacturing specialization, including the field of services, the need for corporate co-operation and the division of labour between different departments, the requirement to increase value added in business processes at all enterprise levels, and the growing importance of specialists in corporate departments. Within the external environment, a significant role is assumed in the change of roles of both suppliers and customers in a market-based business environment, the increasing risk of entry of new competitors and the emergence of substitutes. The question of the specialty of the respective corporate value chain is at the forefront, where the organizational structures of the organization have undoubtedly higher potential value for its appreciation. The author of the paper sees such factor as one of the most important factors of the gradual changes within the enterprise architecture. The writer of the paper also considers the intensity of this process as a very useful point of view, in which both the Czech and foreign literature refers to the gradual transition

to the unit structure of an enterprise. However, these structures already represent about 80 % of the sample of more than 400 Czech enterprises, which is a very important fact, raising the demand for accelerated theoretical and practical development of this process by the research and academy sphere.

Further analysis aimed at testing the dependence of organizational structures, size and profit of the sample enterprises; see graphs 1, 2, 3 and 4.

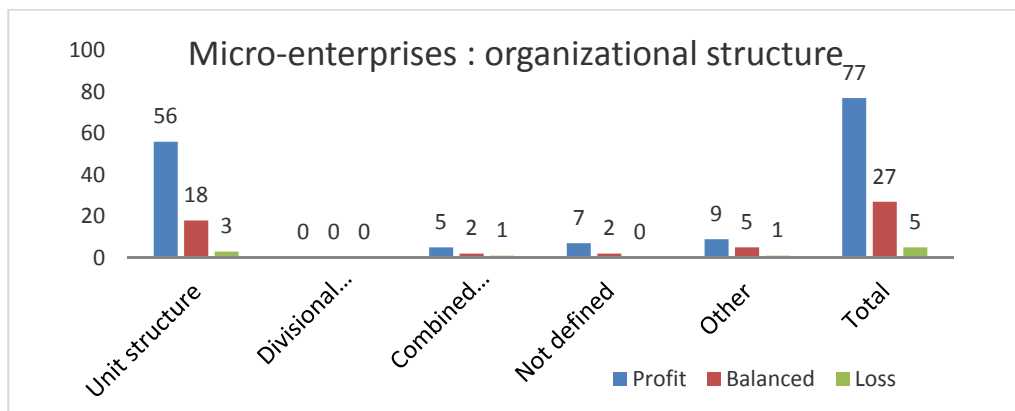
Graph 1 Dependence of the type of the organizational structure and the profit of an enterprise (the whole sample)



Source: author

Analyzing the whole sample revealed that the frequency and profitability and the balanced profit/loss is most indicated in the *unit management structure*. Almost 75 % of these enterprises generate profits; 20.7 % is balanced, and 4.4% report a loss. The second most frequent structure is the *combined structure* (divisional and unit structure). With this structure, 68.6 % generate profits 20 % of enterprises are balanced, and 11.4 % generate a loss. The third most common structure is the divisional structure generating profit in 70 %; 25 % are balanced and 5 % report a loss. In addition, 14 enterprises did not report the type of its organizational structure. In total, there are 71.4 % of the enterprises reporting profit; 28.6 % are balanced. The loss was not recorded, possibly also due to the overall economic growth in the Czech Republic. In testing 378 SMEs, a p-value was calculated less than the chosen significance level of 5 %, therefore we can declare these two variables as X-squared dependent = 182.46, df = 116, p-value = 8.071e-05 V = 6.6360). Subsequently, the dependency of enterprises based on the size is analysed.

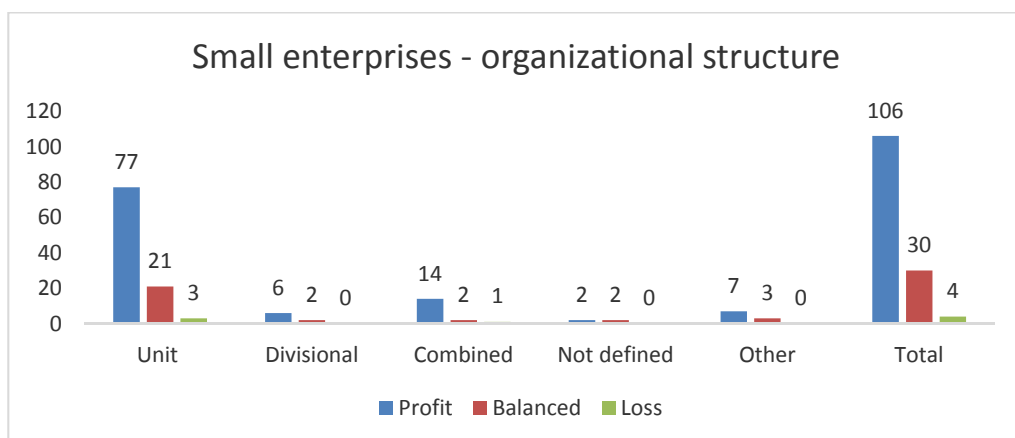
Graph 2 Dependence of organizational structure and size category on the profitability of the enterprise in micro-enterprises



Source: author

In micro-enterprises, 70.6 % use unit management structure. Within these, 72.7 % generate profit, 23.4 % are balanced and 3.9 % report a loss. Other organizational structures are not represented a lot. It is a very surprising finding, especially with a direct line structure. Micro-enterprises represent a group of 109 enterprises. In the micro enterprise category there are companies with up to 10 employees, often with only one employee - entrepreneurs. When testing micro-enterprises and organizational structure dependence on profitability, the value of p-value was calculated to be less than the 5 % significance level, therefore the dependency is confirmed with the micro-enterprises (X-squared = 89.0591, df = 51, p-value = 0.0007739 V = 5.8837).

Graph 3 Dependence of organizational structure and size category on the profitability of the enterprise in small enterprises

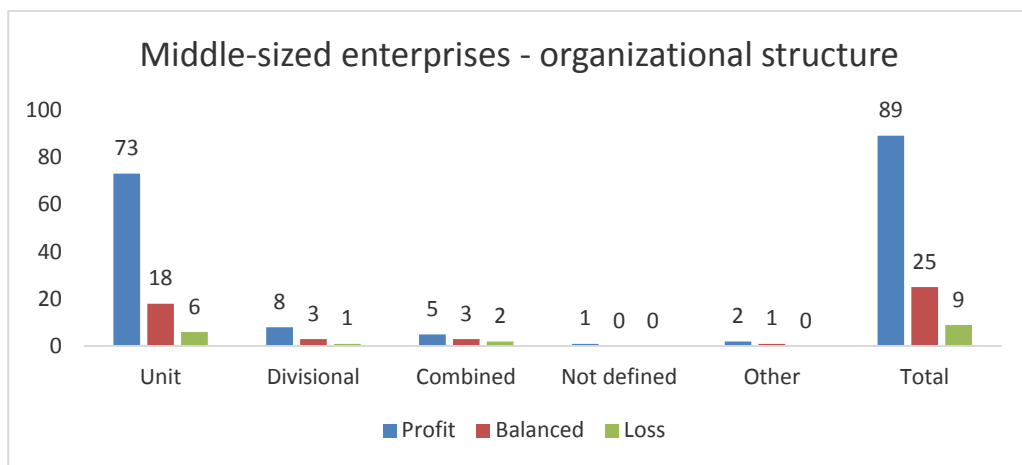


Source: author

The micro-enterprise, small enterprises mostly use the unit structure (86.4 %). In these enterprises, 63.6 % is profitable, 17.4 % is balanced and 2.5 % is in a loss. Combined structure is the second most common (its frequency is approximately six times less common), with 82.4 % profitable enterprises, 11.8 balanced enterprises and 5.9 % of enterprises in a loss. Four enterprises did not define its structure. Ten enterprises use a different structure. Divisional and other structures are not significant.

There are 140 small enterprises. Analysis of the dependence revealed the following results: X-squared = 912.9716, df = 13, p-value <2.2e-16 V = 54.3667). The achieved p-value is less than the 5 % significance level chosen by us. There is dependence between the variables.

Graph 4 Dependence of organizational structure and size category on the profitability of the enterprise in middle-sized enterprises



Source: author

Unit structure was also common in middle-sized enterprises (78.9 %). Such enterprises generate profit in 75.3 %; 18.6 % are balanced and 6.2 % are in a loss. As expected, divisional control structure is the second most common followed by the combined structure. Regarding the divisional structure, there are 66.7 % of profitable enterprises; 25 % are balanced and 8.3 % in a loss. Regarding the combined structure, there are 50 % of profitable enterprises; 30 % are balanced and 20 % in a loss.

There are 123 middle-sized enterprises in the sample. The following results were found by the dependency test (X-squared = 505.592, df = 7, p-value <2.2e-16 V = 31.9764). The achieved p-value is less than the 5 % significance level, so the variables are dependent.

Conclusion

- The analyses of organizational and management structures suggest an intensive process in a slow change of corporate architecture in the Czech Republic.
- The transformation process of corporate organizational structures in the Czech Republic focuses mostly on a shift from traditional structures to unit structures.
- The statistics proved that the process of the shift to unit structures does not depend on different sectors and production types ($P = 0.81$).
- Analysis of sample suggests that the steepness of the organizational structure does not depend on the sector ($P = 0.1325$). Such result was not predicted by the researcher. It is a significant change from the results of a similarly focused research conducted in 80-90s of the 20th century, when such dependence was very significant.
-
- Partial analyses of follow-up questions revealed that especially enterprises established outside the Czech Republic have a lower number of management levels compared to the enterprises of Czech owners, and vice versa.
- The analyses indicate the start of the process of gradual reorganization of the enterprise architecture. The degree of their transformation will be increasingly influenced by the specifics of the factors of the internal corporate environment, but the restructuring process will not be of a general nature, they must show a high degree of specificity and originality.
- The number of management levels is significantly limited by the effects of the external environment, increasing the competitive pressure. The ownership structure also affects the number of management levels; in enterprises with headquarters outside the territory of our republic there is a lower number of management levels; compared to the enterprises owned by Czech entrepreneurs.
- The predicted dependence of the type of organizational structure on the size of the enterprise was proved. The most widely used structures include unit and divisional structure; the combined structure is less common. The research confirmed the ongoing process of transformation of classical business structures (divisional, combined) into unit management structures. The dependence of the type of organizational structure on the business sector was not confirmed.
- In the size category of microenterprises is used the unit management structure, where more than 95% of enterprises generate profit or have a balanced profit/loss. Dependence of the type of organizational structure and profitability was proved.
- Similarly, to micro-enterprises, the small enterprises mostly use unit structure (90%); 60% of which are profitable, 15% are balanced and 2.5% are in a loss. Dependence of the type of architecture and profitability was proved, too.
- The medium-sized enterprise category also has the largest representation in the unit management structure, where more than 75% of businesses generate profit, more than 15% of businesses are balanced, and the loss is about 6%. In turn, the second structure is the divisional structure followed by the combined structure. Even with this size category of enterprises, the relation between organizational structure and profitability was confirmed.

Such results are supposed to be discussed in further research. However, they suggest, that it is necessary to re-build the enterprise architecture. Restructuring of organizational structures, however, must not be a mere fashion trend. It must be complex and systemic. In today's turbulent and globalizing surrounding the enterprise need to be flexible to adapt the changes in the market environment. It will be appropriate to transform the organizational structure so that all the planned changes are absorbed by an enterprise.

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Some Selected Legal Aspects of the Activity Rules in Relation to the Financial Agent's Clients

Andrea Slezáková¹

Abstract

The activities of financial agents deserve our attention as we can currently observe their growing share on the intermediation of financial services. The quantity of products and services offered by financial market segments requires a continuous education and the monitoring of the current legislation. Financial agents help their clients to find a financial product, which fulfills their specific needs. The client's decision depends on the extent of the information a financial agent provides to him. The legislator imposes an obligation to act when performing financial intermediation in compliance with the principles of fair business relations, with professional care and in the interest of rights and legitimate interests of a client. However, the legislation does not define these terms. This paper aims to outline and analyze procedures in order to perform financial intermediation in accordance with regulatory requirements.

Key words

financial agent, professional care, fair business conduct, acting in accordance with the rights and legitimate interests of the client

JEL Classification: K20, K23

Introduction

The recent development shows how financial intermediation gain its position on the financial market. This long journey began by unifying legislation regulating intermediation into a one legal frame. Prior to January 1, 2010, rules concerning the performance of financial intermediation were contained in several acts governing individual segments of the financial market, respectively had not been not regulated by rules of the financial law.

The different regulatory framework created unequal conditions for performing this business activity. In order to unify them, Act No. 186/2009 Coll. On Financial Intermediation and Financial Advisory and on amendments and supplements to certain laws, as amended (hereinafter only „Financial Intermediation Act“) has been adopted.

The contract for the provision of a financial service which is being defined by the Financial Intermediation Act means not only rights, but also obligations for the client. Many see the signing of this contract as something final, but it is only the beginning (Adam, 2008). Whether it is a sector of insurance and reinsurance, supplementary pension savings scheme, or old age pension savings, the spirit of the legislation in force

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calls for financial agents to recognize the high degree of responsibility that this kind of business brings. The scope of the information provided by the financial agent is crucial to clients when deciding on a particular product.

1 Methodology

The paper is focusing on the analysis of selected concepts, namely financial intermediation and its performance in the interest of the client's rights and legitimate interests, with professional care and in accordance with the principles of fair business conduct. As there are no legal definitions of these terms in the current legislation, we have found the content of the concepts in question, in particular, by analogous application of the legal norms of commercial law, as well as in the context of legal theory and science. The goal is to provide an analysis how the terms in question can be interpreted.

2 Results and discussion

The Financial Intermediation Act contains in its fourth part the activity rules in relation to clients², establishing an obligation to pursue financial intermediation in the interests of the rights of the client, with professional care and in accordance with the principles of fair business conduct. The mentioned terms are not defined by the legislator in the Financial Intermediation Act. It is necessary to analyze the rules of financial law in connection with other rules from different legal sectors.

2.1 Acting in accordance with the rights and legitimate interests of the client

In order to understand the rights and legitimate interests of the client, it is necessary to examine the needs of the subject. Whether from the point of view of a corporate entity, in the case when the client is a legal person or to examine situations in the life of a natural person. It is desirable to distinguish between needs and wishes. Needs and wishes supplement each other (Schmidt, 2011). For most clients, the need is to name the risk they want to cover (Schmidt, 2011).

Performing financial intermediation in the interest of the client's rights and legitimate interests requires a deep knowledge of the contract for the provision of a financial service. This is logically linked to the level of the legal awareness of a financial agent, who should ideally have an university degree in law. However, the legislator does not have the ambition to reserve this kind of business for lawyers. On the contrary, the regulation allows persons with secondary education /when sufficient practice on the financial market has been proved/ to work on the market. Everyone has access to this

² Article 28 - 37a Financial Intermediation Act.

type of business after the legal conditions have been met. This legislation can be considered as in accordance with Article 35 of the Constitution of the Slovak Republic, conferring the right to free choice of profession, the right to prepare for freely chosen professions, the right to conduct business and the right to perform other gainful activity. This in connection with Article 51 par. (1) of the Constitution of the Slovak Republic, meaning these rights can only be called for within the limits of the laws which are in force (Drgonec, 2007).

Due to the relevance of the right to conduct business and to carry out other gainful activity, the Constitutional Court of the Slovak Republic paid repeatedly attention to this topic in its findings. In its finding from 16 June, 1998, it states the following: „The basis of the market economy and competition that is connected with it, is the freedom of market entry and equality of conduct on the market for all competitors. The market entry is part of the constitutionally guaranteed right to enter into business and carry out other gainful activities, since in the market economy it is essential to exercise the right under Article 35 par. (1)...“.³

The Financial Intermediation Act has defined requirements concerning the level of knowledge of financial agents. It is a combination of the following factors - institutional education, practice on the financial market, successful passing of the professional examination and special financial education. These must be met in a cumulative way. This is ensuring a proper standard of protection of the rights and legitimate interests of the client.

Through the legal institute of professional competence and special financial education as one of its components, an „image of the profession" of a financial agent is being created. A client meeting with a person in the financial services industry, should know clearly what qualifications and other requirements this person has met (Seegmüller, 2008). Broadening awareness about this type of business, clients when meeting a financial agent should associate the idea that the competence of these persons has been verified, inter alia, through a professional examination.

The verification of professional competence is required periodically, every four years.⁴ Since financial intermediation means in practice "working for people and with people" we also perceive the subjective factor - the honor, the conscience and the willingness of the individual to do the maximum for clients.

A certain standard in this area is being ensured by ethical codes that are accepted by either financial agents individually or issued at the level of associations. An ethical code is a set of rules that embodies ways of correct behavior and exposure to clients, as well as to competitors on the market. It can be simply called a "fair play" document. In summary, we consider that the performance of financial intermediation in the interests of rights and legitimate interests is the process by which a financial agent fully, correctly, truthfully and professionally informs the client of the nature of the financial service. The financial agent should not only inform about the advantages, but also about the disadvantages.

³ II. ÚS 70/97. Finding 16 June, 1998. Collection of Findings and Rulings of the Constitutional Court of the Slovak Republic 1998, p. 328.

⁴ Article 22 par. (2) Financial Intermediation Act.

2.2 Acting with Professional Care

Financial intermediation is a business activity. This fact must be considered, when interpreting the term professional care. This cannot be perceived only from the perspective of the Financial Intermediation Act. This term must be seen in the context of further legal norms regulating the business environment. A set of such standards undoubtedly represents Act No. 513/1991 Coll. Commercial Code, as amended (hereinafter only „Commercial Code“). The Commercial Code uses the term professional care in the second ("partnership, companies and the cooperative") and in the third part (the "commercial obligations"). In the second part it is used to impose obligations on selected bodies of capital companies and cooperatives. In the third part this term is being used in relation with the different types of contracts, especially when speaking about to the rights and obligations arising from them. We will pay attention to the second part of the Commercial Code. In its enumeration, the legislator defines the obligations that must be met in order to fulfill the requirements of profession care by the statutory bodies of capital companies.

The executive director of a limited liability company is obliged to exercise competences with professional care and in accordance with the interests of the company and all its associates.⁵ It is, therefore, an objective aspect requiring that the executive director takes into account all objectively possible and available information relating to the subject matter of the decision (Patakyová et al., 2016). Other areas that constitute the content of professional care can be summarized as the duty of confidentiality regarding confidential information and an obligation to act in the company's interest, meaning not to favor own interests, interests of selected partners or third parties.

Members of the board of directors of a joint stock company are required to exercise their functions, among other things, with due diligence.⁶ The term due diligence is broader than professional care. Including loyalty to the joint stock company and its shareholders, as well as professional care (Patakyová et al., 2010). Due diligence can be defined as decision-making with knowledge of a subject in the business's object, which can be considered as sufficient in the objective sense (Patakyová et al., 2010). The professional competence framework includes the obligation to maintain confidentiality about confidential information (Patakyová et al., 2010). A member of the board of directors of a joint stock company cannot conduct in a way that causes damage that may result in damage or threat to the interests of the company or shareholders (Patakyová et al., 2010).

If a financial agent wants to perform financial intermediation with professional care, the Commercial Code's rules should be applied by analogy and the requirements laid down by the legislator for the activity rules in relations to clients should be met.

When applying the rules of the Commercial Code by analogy, a subject is acting with professional care during the financial intermediation (as the regulation of the Financial Intermediation Act requires),

⁵ Article 135a par. (1) Commercial Code.

⁶ Article 194 par. (5) Commercial Code.

- when the financial agent is being fully informed - about the contract for the provision of a financial service, about the subject matter of the financial institution, so that the client's attention can be drawn to any imbalance in the contract,

- when the financial agent maintains confidentiality about sensitive data - it is clear from the nature of financial intermediation, that the business is linked with access to sensitive data at the stage of analyzing the client's needs for the purpose of identifying a suitable financial product, such as data on the wage of the client, the income of members of his household, family budget, preferences for leisure activities . If the client is a legal person the financial agent gains information about the turnover, profit, or loss. Based on this, confidentiality appears to be a necessity and one of the essential prerequisites. The duty to maintain confidentiality also includes the protection of personal data. This implies that in case of natural persons it is necessary to perceive regulation resulting from Act No. 122/2013 Coll. On the Protection of Personal Data and on Amendments to Certain Acts, as amended by Act No. 84/2014 Coll.

2.3 The principles of fair business conduct

The regulation imposes an obligation to conduct financial intermediation in accordance with the principles of fair business conduct. However, the legal framework does not further explain to the addressees of the regulation how to proceed in order to fulfill the principles of fair business conduct. It is therefore necessary, for the purpose of defining the content of the term in question, to seek for the answer in the legal environment of Slovakia and in theory. Again, our attention is paid to commercial law rules.

According to Article 265 of the Commercial Code, the exercise of a right which contradicts the principles of fair business conduct is not granted legal protection.

The basic principle of private law is prohibiting the abuse of rights, which is specified in the Article 265 of the Commercial Code (Ovečková, 2011). In summary, we can state that by incorporating the provision in question into the Commercial Code, the legislator follows the categories of morality and ethics, which must also be reflected in the area of business relations.

The principles of fair business conduct are a concept that substitutes accepted principles of morality for the needs of economic relations (Čečotová, 2005). The content of accepted principles of morality is broader than the principles of fair business conduct. Therefore every breach of the principles of fair business conduct is a breach of accepted principles of morality, but not every breach of accepted principles of morality is a breach of the principles of fair business conduct (Ovečková, 1993). These two terms are not synonyms. In practice, cases will occur when there will be an overlapping. Meaning the breach of the principles of fair business conduct will be a breach of accepted principles of morality. But it will be a matter of assessing an individual case. A general application of the definition of accepted principles of morality on the principles of fair business conduct can be considered as an inappropriate consolidation.

In the legal environment of financial intermediation, we conclude that the principles of fair business conduct are connected with professional ethics. Professional ethics represent a set of rules of conduct considered to be minimum standards of fairness. If

a financial agent exercises his rights in a way that is harming the interests of the client or in way that is abusing the clients' goodwill, it is a breach of the principles of fair business conduct. This is the so – called „bullying“, when the law is not exercised in order to pursue own economic interests which, but it is an attempt to exercise the right in a way to cause a disadvantage and harm to the other party (Ovečková, 2011). If a financial agent would exercise rights in this way, legal protection would not be granted. In the event of a dispute, the court would reject the right with reference to a violation of the principles of fair business conduct.

Despite the absence of a definition, we can say that the principles of fair business conduct fulfill a normative function (Hurdík, Lavický, 2010).

2.4 Some selected aspects of the regulation of advertising of financial intermediation

The regulation of advertising means a legal restriction on the freedom of expression that is necessary to protect rights of others. Advertising must be fair, true and prepared with a sense of responsibility (Jakab, 2010). The reason for public intervention in this area is to protect addresses of advertisements trying to sell products and services, often without regard to the truth of the information provided or other social value (Chaloupková, Holý, 2009).

A *lex generalis* in this area is being represented by the Act No. 147/2001 Coll. on advertising and on amendments and supplements to certain laws as amended (herein after „Act on Advertising“). The Act on Advertising will be applied only subsidiary, when the advertisement is realized through television and radio. In these cases the *lex specialis*, the Act No. 308/2000 Coll. on the broadcasting and retransmission and on the amendment of the Telecommunications Act No. 195/2000 Coll. as amended will be applied. For advertisement intended for broadcasting in cinemas, Act No. 40/2015 Coll. on audiovisual and on amendments to certain Acts will be applied.

The Act on Advertising contains a taxative enumeration of attributes that the ad can not contain.⁷ It is logical and obvious that financial agents are looking for opportunities to promote their business, but they must not omit the specific requirements imposed by the legislator on these activities. Therefore, we believe that the Financial Intermediation Act is a *lex specialis* to the Act on Advertising, specifically supplementing the requirements for the content of advertising and promotion. If in practice a financial agent creates outputs containing a proposal to conclude a contract, as well as a form or other mechanism of response, it is necessary to incorporate a range of data corresponding with the requirements set by the valid regulation required. Advertising and promotional information must also be consistent with other data that will be made available to the client in the future. In designing advertising campaigns and strategies, it is necessary to proceed in such a way that the result does not constitute an aggressive business practice, misleading behavior or deceptive omission or unfair competition. Financial agents as advertisers and promoters are required to comply with a set of legal norms arising from the legislative environment. However, we believe that these are a

⁷ Article 3 Act on Advertising.

regulatory "minimum", because we perceive the advertising issue in a wider context in which we also find it appropriate to adhere to moral and moral standards.

In the case of financial intermediation, the "path of success" begins with a market survey and client wishes. The results of the research, together with the assessment of the macro-environment and the micro-environment, form the basis for identifying market position, reviewing the mission, and setting goals, further elaborated on strategies that can be implemented through marketing tools (Medved', Tkáč et al., 2013).

Conclusion

Financial agents form a connection between a financial institution and a client. They help their clients to get an orientation in a wide range of products and they also help to meet the needs of an individual. Their services are independent of those provided by financial institutions and are of particular importance.

We have paid attention to selected legal aspects of regulation of the activity rules in relation to financial agent's clients. We focused on the analysis of selected concepts, namely the performance of financial intermediation in the interest of the client's rights and legitimate interests, with professional care and in accordance with the principles of fair business conduct. As there are no legal definitions of these terms in the current legislation, we have found the content of the concepts in question, in particular, by analogous application of the legal norms of commercial law, as well as in the context of legal theory.

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Strategic analysis methods and their influence on stability and development of small and medium-sized enterprises in the Czech Republic

Jarmila Straková¹

Abstract

Strategic analysis of business environment influences the growing efficiency, stability, and sustainability of enterprises. The entry is aimed at analyzing internal and external strategic methods between profit-making and non-profit-making enterprises from the perspective of their sector differentiation and size categorization focusing on small and medium-sized enterprises. The entry highlights the managers' knowledge of the individual methods and their usability in business practice. The research was conducted based on a sample of 456 enterprises from the entire Czech Republic using a Student's T-test of the differences of two percentages and the Fisher's exact test. The conclusion of the entry is dedicated to the results of the tests, as well as new trends that are used in the area of strategic analysis and which have been indicated as a part of the set of tested enterprises.

Key words

Strategic analysis, internal analysis, external analysis, business environment, enterprise efficiency, small and medium-sized enterprises, Czech Republic

JEL Classification: M210

Introduction

Small and medium-sized enterprises (hereinafter „SMEs“) play a significant role in the national economy of the Czech Republic not only from the perspective of stability but from the perspective of developing the national economy as well. This is the case not only in the Czech Republic and other EU countries but in other parts of the world featuring a developed economic system as well. In the Czech Republic, in total 1.139.330 natural or legal persons are active in business; the number of active business subjects consists of more than 99 percent of SMEs; they produce more than 54 percent of the value added; they employ 59 percent of the employees in the business sector in the Czech Republic (MPO 2016). Since the beginning of the 21st century, questions of efficiency, stability, and growth of SMEs and their relation to the business environment have been crucial. A number of domestic and foreign authors are interested in this issue, such as Havlíček, Kašík (2005); Šebestová (2007); Vojík (2009); Hamplová, Provazníková (2015); Hribík (2010); Helfat et al. (2007); Miles, Snow and Meyer (2008).

Enterprises are currently interconnected within a network of various relations with other organizations, partners or individuals. These are the relations and their recognition

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that help create the strategy of enterprises and define their position and competitiveness or rather a sustainable competitive advantage (Clegg, Carter, Kornberger, Schweitzer 2011). Business environment is not stationary; it changes and develop dynamically. Domestic and foreign authors rightfully call it highly turbulent and discontinuous, see Drucker (1994), Mintzberg (2007), Kotler and Caslione (2009), Zuzák (2011), etc. These changes require constant and repeating examining of theories of enterprise growth (Dagnino, King, Tienari 2017). Globalization, competition, continuous rise of new technologies, and rapid changes are all characteristics of the modern business environment, as well as high expectations and demands of users for high value added of products and services and their constant innovation (Loukis, Kyriakou, Pazalos, Popa 2017). If enterprises want to survive the highly competitive environment then they have to react to these changes. However, approaches and methods that they employ do not always suit their needs; often, they do not reflect the changes that are actually happening. At the same time, it is necessary to realize that the impact of changes and their character do not affect all business branches equally. Mallya (2007) describes strategic management in the business environment in the Czech Republic and concludes that it remains a relatively new area. This conclusion is also supported by the results of the author of this entry aimed at strategic enterprises management in the setting of the Czech Republic. Although the term itself is widely known, only some of its fundamental methods and general characteristics are known. Special methods, approaches, research, and solutions used in various competitive areas of strategic management that are applied in highly developed countries are still relatively little known and their accessibility is limited (Mallya 2007).

The strategic situation analysis is used to understand and analyze the business environment. Generally, the academic sector agrees on its definition. It is primarily based on assessing individual components and characteristics of the internal and external environments of enterprises by using methods analyzing external and internal environments, so-called strategic analyses. Šulák, Vacík (2005) categorize business environment as the external environment whose parts are the macro environment and the meso environment of the enterprise and the internal environment including the enterprise analysis and the micro environment meaning the internal sources of the enterprise. The authors Frynas and Mellahi (2011) classify business environment in the same way. Mallya (2007) distinguishes between an internal, branch, and general business environments. Veber et al. (1998) additionally divide the macro environment into the local environment, the national environment, and the environment of integration grouping. Jakubíková (2008), Dedouchová (2001) distinguish the macro environment, micro environment, and the enterprise, similarly to Gomes (2011); Nigel, Campbella (2002); Ginter, Duncan and Swayn (2013). Barney (1991); Barney, Ketchen, Wright (2011) and his successors Augier, Teece (2006); Teece, Pisano, Shuen (1997); Ambrosini, Bowman (2009) all focus on internal enterprise sources and their importance. The dynamics of internal sources supports the growth of enterprises and helps create their sustainable competitive advantage. The importance of the key factors of the meso environment and macro environment are analyzed in the works of Kirchhoff (1994), Storey (1994), Porter (2012, 2015), Slávik and Romanová (2005), Lundström and Stevenson (2005). Porter (2012, 2015) introduces a different view of the methods of the situation analysis and states that the strategy of enterprises does not depend on the ability to predict changes but on the broad idea about what groups of customers there are and which needs will

be significant in the next three to five years. On the other hand, he admits that a well-prepared analysis can be of significant importance (Magretta 2012).

It is not possible to achieve a sustainable competitive advantage without understanding the business environment. However, it is necessary to examine the structure and content of the individual analyses since some do not have a universal character and therefore cannot be used in a unified manner especially when considering the sector differentiation of enterprises and their size categorization. This statement is partially documented in this entry as well. It is probable that the future development of enterprises will be dictated by new trends in the area of strategic planning cycle, strategic methods and tools of strategic management, as well as techniques of implementing set strategies in enterprise practice. Their difficulty and complexity will depend on the size and character of enterprises, the extent of their area of effect, and a number of other factors as well.

1 Methodology

The research was carried out by a group of 456 companies from all the Czech Republic through an extensive questionnaire survey focused on corporate strategy. The research is carried out under the responsibility of the ITB in České Budějovice, a special team was created and trained to provide a questionnaire survey. The first part of the research will be completed by the end of 2017. The change in the economic cycle is expected to be repeated, supplemented in both cases by direct personal interviews with selected managers in the Czech Republic. The testing sample of enterprises was categorized from the perspective of sector differentiation (201 production and industrial enterprises, 255 service enterprises) and size categorization (109 microenterprises – 10 or less employees, 140 small enterprises – 50 or less employees, 124 medium-sized enterprises – 250 or less employees, and 83 large enterprises – more than 250 employees). Small and medium-sized enterprises dominate the testing sample, which is in accordance with the structure of economic subjects in the Czech Republic which are features a very large number of small and medium-sized enterprises similarly to the entire European Union. Large enterprises are not taken into consideration in this entry due to the extent of their achieved results.

The aim of the paper is to analyze selected strategic analyzes for assessing the internal and external business environment between profit and non-profit enterprises, depending on their sectoral differentiation (production and industry sector and service sector) and size categorization (micro, small and medium-sized enterprises). In order to assess whether the differences of percentages between both groups of enterprises are statistically significant, differences between profit-making and non-profit-making enterprises for the tested internal and external strategic analyses were defined. Only those analyses that had shown to have a difference of more than 10 % were statistically examined and this principle was applied in all size categories and relevant sectors. In these cases, a statistical test was conducted to determine if this empirically gained difference is statistically significant. A Student's t-test of the differences of two percentages and the Fisher's exact test were used. Fisher's test makes it possible to determine dependencies even in the case of lower numbers (Hendl 2012). Based on the Student's t-test,

a value of testing statistics was determined as well as the p-value including 95 percent reciprocal interval estimate for the difference of conditions and the p-value for the Fisher's exact test. The tests were conducted on the standard level of significance 0.05, meaning the reliability of 95 percent. The author of the entry thinks that it is appropriate to state the numbers and differences of enterprises that stated in their questionnaires that they are not using any methods since these results also play a significant role when assessing research.

2 Results and Discussion

2.1 Results and discussion – production and industry sectors

The results stated below are significantly influenced by the fact that from the overall number of microenterprises and SMEs in the production, industry, and service sectors, only 40 % of enterprises showed elementary knowledge of methods of strategic situation analysis. This is a crucial and deciding knowledge and can be generally seen as a limiting factor of the development of SMEs in the Czech Republic.

- **Microenterprises and small enterprises**

Due to the small representation of enterprises categorized as microenterprises, they were included in the same group as small enterprises.

Table 1 Dividing microenterprises and small enterprises based on their economic results

Economic results of the enterprises	Number
Non-profit-making	22
Profit-making	53

Source: own research.

Table 2 The difference in the percentages (in relative numbers) of microenterprises and small enterprises according to their business results of internal strategic analyses

Used internal strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
SWOT analysis	31.8%	54.7%	22.9%
Portfolio analysis	13.6%	15.1%	1.5%
BCG-matrix	4.5%	11.3%	6.8%
GE Model	4.5%	1.9%	-2.7%
Value chain analysis	9.1%	9.4%	0.3%

Strategic alternatives	4.5%	7.5%	3.0%
SPACE analysis	0.0%	7.5%	7.5%
Analysis of internal sources of the enterprise	9.1%	20.8%	11.7%
Critical Success Factors	13.6%	22.6%	9.0%
Analysis of the enterprise's economic exposure	9.1%	3.8%	-5.3%
Analysis of internal competitiveness	0.0%	11.3%	11.3%
No internal analyses	59.1%	41.5%	-17.6%

Source: own research.

Table 3 Results of statistical tests of internal strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making micro and small enterprises

	SWOT analysis	Analysis of internal sources of the enterprise	No internal analyses
Testing statistic	1.899	1.408	-1.409
P-value	0.058	0.159	0.159
Interval estimate of the difference of percentages	(-0.007; 0.465)	(-0.046; 0.279)	(-0.420; 0.069)

Source: own research.

When analyzing the internal competitiveness, no Student's t-test was carried out because the number of non-profit-making enterprises is zero. To fill in the results, the Fischer's exact test was used; its p-value was measured at 0.1714. In this group, statistical tests did not discover any statistically significant differences between the percentages. All p-values are higher than the level of significance. Only the p-value of the SWOT analysis came close to this level.

The achieved results of this size group of enterprises can be seen as expected; they definitely prove the lack of knowledge of internal strategic analyses by the management of microenterprises and small enterprises. At the same time, these and other subsequent analyses document that the enterprises are managed without fundamental strategic tools such as defining the enterprise's development vision or creating a set of goals to fulfill it. The analyses also completely proved the undesirable state of the area of managerial literacy of strategic management and decision-making in this size category of enterprises.

Table 4 The difference of percentages (in relative numbers) of microenterprises and small enterprises according to their business results in external strategic analyses

Used external strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
STEP analysis	9.1%	22.6%	13.6%
Scenario analysis	13.6%	9.4%	-4.2%
Competitor analysis	31.8%	37.7%	5.9%
Porter's five forces analysis	0.0%	24.5%	24.5%
Strategic map	4.5%	9.4%	4.9%
Sector attractiveness analysis	0.0%	11.3%	11.3%
Strategic hours	0.0%	3.8%	3.8%
Life-cycle assessment	9.1%	7.5%	-1.5%
Interest group analysis	13.6%	7.5%	-6.1%
Analysis of economic characteristics of sectors	4.5%	20.8%	16.2%
Sector driver analysis	9.1%	13.2%	4.1%
No external analyses	54.5%	37.7%	-16.8%

Source: own research.

Table 5 Results of statistical tests of external strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making micro and small enterprises

	STEP analysis	Analysis of economic characteristics of sectors	No external analyses
Testing statistic	1.613	2.275	-1.341
P-value	0.107	0.023	0.179
Interval estimate of the difference of percentages	(-0.029; 0.300)	(0.022; 0.302)	(-0.414; 0.078)

Source: own research.

In the case of Porter's five forces analysis and the sector attractiveness analysis, no Student's t-test was conducted because the number of non-profit-making enterprises was zero. The Fischer's exact test was conducted for these analyses; the p-value was **0.008** for the Porter's five forces analysis and 0.1714 for the sector attractiveness analysis.

Statistical tests uncovered two statistically significant differences of percentages in this group – namely for the Porter's five forces analysis and the analysis of economic characteristics of sectors. In both cases, the profit-making enterprises predominate over

the non-profit-making enterprises. As it was previously stated, the level of using strategic analysis methods, especially in microenterprises and small enterprises, is objectively very low and there is no difference in the case of external analyses. The difference of relative numbers between the profit-making and non-profit-making enterprises in the Porter’s five forces analysis and the analysis of economic characteristics of sectors can be seen as a favorable result. Especially the first method shows increasing importance in the decision-making processes of managers in the continuously tougher competitive environment. The second method documents the sector dependency of this enterprise category on the final financial results – the profitability. Enterprise stability cannot be ensured without a continuous sector analysis primarily from the perspective of its driving forces (innovation process).

- **Medium-sized enterprises**

Table 6 Dividing medium-sized enterprises based on their economic results

Economic results of the enterprises	Number
Non-profit-making	23
Profit-making	54

Source: own research.

Table 7 The difference in the percentages (in relative numbers) of medium-sized enterprises according to their business results of internal strategic analyses

Used internal strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
SWOT analysis	43.5%	46.3%	2.8%
Portfolio analysis	26.1%	24.1%	-2.0%
BCG-matrix	8.7%	9.3%	0.6%
GE Model	0.0%	0.0%	0.0%
Value chain analysis	13.0%	3.7%	-9.3%
Strategic alternatives	4.3%	5.6%	1.2%
SPACE analysis	0.0%	1.9%	1.9%
Analysis of internal sources of the enterprise	43.5%	27.8%	-15.7%
Critical Success Factors	21.7%	14.8%	-6.9%
Analysis of the enterprise’s economic exposure	0.0%	9.3%	9.3%
Analysis of internal competitiveness	13.0%	14.8%	1.8%
No internal analyses	26.1%	33.3%	7.2%

Source: own research.

Table 8 Results of statistical tests of internal strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making medium-sized enterprises

	Analysis of internal sources of the enterprise
Testing statistic	-1.308
P-value	0.191
Interval estimate of the difference of percentages	(-0.392; 0.078)

Source: own research.

The size category of medium-sized enterprises can only register one difference of more than 10 % in the percentages of one method – the analysis of internal sources of the enterprise. However, statistical tests did not prove this difference statistically significant. Identically to the previous size category of enterprises, the lack of knowledge of internal methods and their usability in business practice can be pointed out. Although the statistical tests did not prove a significant difference in the percentages of profit-making and non-profit-making enterprises, the analysis of internal sources of the enterprise shows higher usability in this category. The internal sources need to be focused on more by the enterprise’s management because their structure and usability are prerequisites for creating a competitive and unique value potential of an enterprise. More frequent usage or the complete absence of some methods is alarming for the further development of this category of enterprises. These methods are primarily the value chain analysis, analysis of internal sources of the enterprise, and the portfolio analysis. These should become a crucial part of managerial competences of all managers of enterprises of this size category.

Table 9 The difference of percentages (in relative numbers) of medium-sized enterprises according to their business results in external strategic analyses

Used external strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
STEP analysis	13.0 %	13.0 %	-0.1 %
Scenario analysis	26.1 %	22.2 %	-3.9 %
Competitor analysis	47.8 %	33.3 %	-14.5 %
Porter’s five forces analysis	13.0 %	25.9 %	12.9 %
Strategic map	21.7 %	9.3 %	-12.5 %
Sector attractiveness analysis	8.7 %	16.7 %	8.0 %
Strategic hours	0.0 %	1.9 %	1.9 %
Life-cycle assessment	8.7 %	11.1 %	2.4 %
Interest group analysis	13.0 %	3.7 %	-9.3 %

Analysis of economic characteristics of sectors	26.1 %	14.8 %	-11.3 %
Sector driver analysis	8.7 %	7.4 %	-1.3 %
No external analyses	34.8 %	37.0 %	2.3 %

Source: own research.

Table 10 The difference of percentages (in relative numbers) of medium-sized enterprises according to their business results in external strategic analyses

	Competitor analysis	Porter's five forces analysis	Strategic map	Analysis of economic characteristics of sectors
Testing statistic	-1.185	1.398	-1.318	-1.088
P-value	0.236	0.162	0.187	0.276
Interval estimate of the difference of percentages	(-0.385; 0.095)	(-0.052; 0.309)	(-0.310; 0.061)	(-0.316; 0.090)

Source: own research.

The results highlight four external analyses that surpassed the 10 % difference of percentages. These are very significant methods for formulating competitive strategies, namely the competitor analysis, the Porter's five forces analysis, the strategic map, and the analysis of economic characteristics of sectors. Similarly to the internal analyses of this category of enterprises, the statistical tests did not prove any significant differences. It is necessary to point out that the usage frequency of these methods needs to increase significantly in the future if this size category of enterprise is to secure its stability, development, and sustainability. Once again, this can be associated with the general insufficient amount of knowledge of these methods by managements of the enterprises of this size category. Despite this negative fact, the result – the analyzed methods – can be seen as a promise of a future trend of their usage. The featured methods are the crucial core of external methods from the perspective of their importance in strategic management and decision-making.

2.2 Results and discussion – service sector

- **Microenterprises**

Table 11 Dividing microenterprises based on their economic results

Economic results of the enterprises	Number
Non-profit-making	24
Profit-making	63

Source: own research.

Table 12 The difference in the percentages (in relative numbers) of microenterprises according to their business results of internal strategic analyses

Used internal strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
SWOT analysis	37.5%	55.6%	18.1%
Portfolio analysis	12.5%	17.5%	5.0%
BCG-matrix	4.2%	17.5%	13.3%
GE Model	0.0%	4.8%	4.8%
Value chain analysis	4.2%	11.1%	6.9%
Strategic alternatives	4.2%	3.2%	-1.0%
SPACE analysis	0.0%	22.2%	22.2%
Analysis of internal sources of the enterprise	8.3%	9.5%	1.2%
Critical Success Factors	25.0%	14.3%	-10.7%
Analysis of the enterprise's economic exposure	0.0%	1.6%	1.6%
Analysis of internal competitiveness	29.2%	20.6%	-8.5%
No internal analyses	29.2%	28.6%	-0.6%

Source: own research.

Table 13 Results of statistical tests of internal strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making microenterprises

	SWOT analysis	BCG-matrix	Critical Success Factors
Testing statistic	1.543	2.114	-1.084
P-value	0.123	0.034	0.278
Interval estimate of the difference of percentages	(-0.049; 0.4099)	(0.010; 0.256)	(-0.301; 0.086)

Source: own research.

The SPACE analysis was tested only by the Fisher's exact test (p-value 0.0089) because there were zero non-profit-making enterprises using it.

The results show the importance of the BCG-matrix and the SPACE analysis, which may seem surprising due to the fact that the group in question is microenterprises. The service sector enterprises in comparison to the production and industry sectors (does not apply to large enterprises) generally operate in a more complex and more dynamic market environment with existing strong competitive pressure towards their management. Gradually, managers have been realizing this and are looking for tools that can help facing and subsequently eliminate these threats. The results may have also been

influenced by the age structure of these enterprises. According to preliminary analyses, generally a larger number of younger employees work in these enterprises. However, his statement does need to be analyzed more closely.

Table 14 The difference of percentages (in relative numbers) of microenterprises according to their business results in external strategic analyses

Used external strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
STEP	4.2 %	30.2 %	26.0 %
Scenario analysis	4.2 %	6.3 %	2,2 %
Competitor analysis	37.5 %	36.5 %	-1.0 %
Porter's five forces analysis	20.8 %	22.2 %	1.4 %
Strategic map	4.2 %	17.5 %	13.3 %
Sector attractiveness analysis	4.2 %	28.6 %	24.4 %
Strategic hours	4.2 %	3.2 %	-1.0 %
Life-cycle assessment	0.0 %	1.6 %	1.6 %
Interest group analysis	8.3 %	14.3 %	6.0 %
Analysis of economic characteristics of sectors	4.2 %	4.8 %	0.6 %
Sector driver analysis	4.2 %	3.2 %	-1.0 %
No external analyses	45.8 %	30.2 %	-15.7 %

Source: own research.

Table 15 Results of statistical tests of external strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making microenterprises

	STEP analysis	Strategic map	Sector attractiveness analysis	No external analyses
Testing statistic	3.673	2.115	3.485	-1.339
P-value	0.0002	0.034	0.0005	0.180
Interval estimate of the difference of percentages	(0.121; 0.399)	(0.010; 0.256)	(0.107; 0.381)	(-0.386; 0.073)

Source: own research.

Some external methods also showed significant differences between profit-making and non-profit-making enterprises, namely when using the STEP analysis, strategic maps, and the sector attractiveness analysis. These are once again analyses of the

competitive environment. Its understanding is a crucial prerequisite for all enterprises particularly in the service sector to secure their current and future successes. Similarly to the internal analyses, the results from the perspective of used external analyses can be explained and connected to the complexity of the market environment. If the number of tested enterprises with positive knowledge of the featured methods was significantly higher than the result would be a very positive finding from the point of view of the structure of used methods.

- **Small enterprises**

Table 16 Dividing small enterprises based on their economic results

Economic results of the enterprises	Number
Non-profit-making	21
Profit-making	66

Source: own research.

Table 17 The difference in the percentages (in relative numbers) of small enterprises according to their business results of internal strategic analyses

Used internal strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
SWOT analysis	52.4%	21.2%	-31.2%
Portfolio analysis	19.0%	18.2%	-0.9%
BCG-matrix	0.0%	1.5%	1.5%
GE Model	0.0%	7.6%	7.6%
Value chain analysis	0.0%	7.6%	7.6%
Strategic alternatives	0.0%	18.2%	18.2%
SPACE analysis	4.8%	15.2%	10.4%
Analysis of internal sources of the enterprise	14.3%	22.7%	8.4%
Critical Success Factors	4.8%	7.6%	2.8%
Analysis of the enterprise's economic exposure	0.0%	16.7%	16.7%
Analysis of internal competitiveness	14.3%	31.8%	17.5%
No internal analyses	42.9%	10.6%	-32.3%

Source: own research.

Table 18 Results of statistical tests of internal strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making small enterprises

	SWOT analysis	SPACE analysis	Analysis of internal competitiveness	No internal analyses
Testing statistic	-2.597	1.621	1.836	-2.817
P-value	0.009	0.105	0.066	0.0048
Interval estimate of the difference of percentages	(-0.547; -0.076)	(-0.022; 0.229)	(-0.012; 0.362)	(-0.547; -0.098)

Source: own research.

The Fisher's exact test was once again used to determine the p-values for the methods of strategic alternatives and the analysis of the enterprise's economic exposure. The p-value of the strategic alternatives method is 0.035 – it is statistically significant. The p-value of the analysis of the enterprise's economic exposure is 0.059.

This group of enterprises showed a statistically significant difference in the SWOT analysis (there are more non-profit-making enterprises than profit-making enterprises in the percentage). Other methods did not feature any statistically significant difference (however, very closely). The tests also revealed that this group features a statistically significantly higher number of non-profit-making enterprises that do not use any methods in comparison to the profit-making enterprises. Therefore, it can be assumed that the statistically significant difference in the SWOT analyses is partially caused by the fact that using this method has become a sort of practice without understanding its essence. This method is used in areas where its implementation is severely problematic (health care, environmental science, history etc.). The higher number of non-profit-making enterprises can be associated with the previously mentioned aspects. It can also be suggested that instable enterprises, enterprises in bankruptcy or operating on the edge of their existence look for „salvation” in this overrated method. In the end this method is looked upon by managers in a negative way, which is again a negative trend.

Table 19 The difference of percentages (in relative numbers) of small enterprises according to their business results in external strategic analyses

Used external strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
STEP analysis	4.8%	27.3%	22.5%
Scenario analysis	14.3%	13.6%	-0.6%
Competitor analysis	42.9%	45.5%	2.6%

Porter's five forces analysis	23.8%	18.2%	-5.6%
Strategic map	4.8%	30.3%	25.5%
Sector attractiveness analysis	0.0%	13.6%	13.6%
Strategic hours	4.8%	7.6%	2.8%
Life-cycle assessment	0.0%	9.1%	9.1%
Interest group analysis	9.5%	13.6%	4.1%
Analysis of economic characteristics of sectors	4.8%	4.5%	-0.2%
Sector drivers analysis	0.0%	4.5%	4.5%
No external analyses	38.1%	31.8%	-6.3%

Source: own research.

Table 20 Results of statistical tests of external strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making small enterprises

	STEP analysis	Strategic maps
Testing statistic	3.132	3.489
P-value	0.002	0.0005
Interval estimate of the difference of percentages	(0.084; 0.366)	(0.112; 0.399)

Source: own research.

The Fisher's exact test determined the p-value of the sector attractiveness analysis as 0.106.

The results are similar to the category of microenterprises; a statistically significant difference was defined for the STEP analysis and strategic maps. The statement about growing competitive environment and the need to use the methods to analyze it is valid here as well.

- **Medium-sized enterprises**

Table 21 Dividing medium-sized enterprises based on their economic results

Economic results of the enterprises	Number
Non-profit-making	12
Profit-making	35

Source: own research.

Table 22 The difference in the percentages (in relative numbers) of medium-sized enterprises according to their business results of internal strategic analyses

Used internal strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
SWOT analysis	50.0%	68.6%	18.6%
Portfolio analysis	33.3%	42.9%	9.5%
BCG-matrix	0.0%	17.1%	17.1%
GE Model	0.0%	2.9%	2.9%
Value chain analysis	25.0%	5.7%	-19.3%
Strategic alternatives	25.0%	17.1%	-7.9%
SPACE analysis	0.0%	2.9%	2.9%
Analysis of internal sources of the enterprise	50.0%	34.3%	-15.7%
Critical Success Factors	41.7%	31.4%	-10.2%
Analysis of the enterprise's economic exposure	16.7%	8.6%	-8.1%
Analysis of internal competitiveness	33.3%	51.4%	18.1%
No internal analyses	16.7%	20.0%	3.3%

Source: own research.

Table 23 Results of statistical tests of internal strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making medium-sized enterprises

	SWOT analysis	BCG-matrix	Value chain analysis	Analysis of internal sources of the enterprise	Analysis of internal competitiveness	Critical Success Factors
P-value	0.306	0.315	0.097	0.493	0.331	0.725

Source: own research.

Due to the small sample of the non-profit-making enterprises, only the results of the Fisher's exact test are featured here, including in the case of external analyses. This size group does not show any statistically significant differences. This is a surprising result for this category since it can be expected that the management of this size category should pay more attention to both internal and external environments of the enterprises. It is a very negative result of the analyses especially for the size category of service enterprises; it also stresses that it is crucial to focus on this issue systematically and purposefully. Using methods such as the value chain analysis, the analysis of internal sources of the enterprise, the portfolio analysis, and others can become a common task

of managers in the near future. Without this significant change, a high-quality shift in the development of such service sector enterprises cannot be expected.

Table 24 The difference of percentages (in relative numbers) of medium-sized enterprises according to their business results in external strategic analyses

Used external strategic analyses	Non-profit-making enterprises	Profit-making enterprises	Difference (between profit-making and non-profit-making)
STEP analysis	8.3%	20.0%	11.7%
Scenario analysis	25.0%	25.7%	0.7%
Competitor analysis	50.0%	62.9%	12.9%
Porter’s five forces analysis	50.0%	40.0%	-10.0%
Strategic map	50.0%	8.6%	-41.4%
Sector attractiveness analysis	16.7%	22.9%	6.2%
Strategic hours	8.3%	14.3%	6.0%
Life-cycle assessment	16.7%	22.9%	6.2%
Interest group analysis	8.3%	17.1%	8.8%
Analysis of economic characteristics of sectors	41.7%	28.6%	-13.1%
Sector drivers analysis	16.7%	8.6%	-8.1%
No external analyses	0.0%	17.1%	17.1%

Source: own research.

Table 25 Results of statistical tests of external strategic analyses with a difference of more than 10% in the percentages of profit-making and non-profit-making medium-sized enterprises

	STEP analysis	Competitor analysis	Strategic maps	Analysis of economic characteristics of sectors	No external analyses
P-value	0.659	0.506	0.005	0.481	0.315

Source: own research.

Medium-sized enterprises featured one statistically significant difference when examining the external analyses – the strategic maps method (however there are more non-profit-making enterprises than profit-making enterprises). Both with internal analyzes and external analyzes, the lack of use of methods suggests a complete absence of strategic tools in managing these businesses. If the status quo does not change, it can be expected that the next period will also feature negative impacts on stability and sustainability of these enterprises.

Conclusion

The results of the conducted analyses cannot only be observed from the point of view of current level management and decision-making of two fundamental sectors of the national economy – production and industry, and service enterprises, but from the perspective of their future needs as well. From the perspective of the current needs, following conclusions can be made:

- Primarily, it is necessary to point out in the conclusion of this entry that the enterprises were examined during a period of economic growth and it is expected that this growth continues in the next economic stages of economy. This naturally influenced the numbers of profit-making and non-profit-making enterprises as well as presumably the influence of the opinions of the enterprises' managers.
- Significant managerial illiteracy (of internal and external methods in the area of strategic situation analysis) was analyzed in both tested sectors.
- Implementing the methods of strategic situation analysis into enterprise practice of microenterprises and small enterprises primarily in the production and industry sectors and medium-sized enterprises of both sectors is absolutely insufficient and does not correspond with the current needs of the areas of strategic management and decision-making.
- The development in the area of strategic management and decision-making of these enterprises and sectors (personal interviews and experience in business practice) is not based on modern management forms, but they are currently being applied in particular to the strategic management transfer of experience from experienced managers, practical personal insights, intuition and often "copying" or "blind" transfer of other people's knowledge and experience to your own business.
- Despite the negative assessment, a demand for modern strategic methods can be observed for a number of managers; in some cases due to the fact that the enterprise has fallen into an unfavorable economic situation.

From the perspective of future development of the area of strategic management and decision-making, following conclusion can be drawn:

- Microenterprises and small enterprises (more so in the production and industry sectors) will need to focus primarily on changing the mindsets, opinions, and actions of their managers to be able to achieve uniqueness, originality, and maximal usage of their enterprise potential in their business.
- Managers of medium-sized enterprises (generally, without the sector distinction) will have to increase the quality level of managerial literacy in the areas of strategic management. Internal analyses – primarily the value chain analysis, the analysis of internal sources of the enterprise, portfolio analysis – need to become a common practice of managers of enterprises in the near future. The crucial external analyses are Porter's five forces analysis, competitor analysis, sector drivers analysis, and analysis of economic characteristics of sectors.

The author of the entry wanted to contribute to the opening domestic and foreign debate on from the point of view of future development of strategic management and

decision-making in business practice and to the ongoing discussion about creating enterprise strategies and their implementation.

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Analyzing the management process in small and medium-sized enterprises in the Region of South Bohemia

Jan Váchal – Tsolmon Jambal¹

Abstract

The entry is aimed at analyzing the process of managing small and medium-sized enterprise, specifically in the Region of South Bohemia. The testing sample included 180 enterprises. The fundamental statistical information about SMEs is included, focusing of the numbers, the size category, and their specialization in the Region of South Bohemia. The research activities were aimed at the steepness of management structures and at their extent on all management levels. The analysis indicates that micro-enterprises prefer one management level, while small and middle-sized enterprises prefer two management levels with the statistic dependence on the size category. In regard to the number of employees on individual management levels, the top positions have from 6 employees up to 30 on the operative level. The general business trend involves a transfer to the functional management structure. With respect to the strategic management and decision-making, enterprises boost an attractive prospect of mainly their own sources. A statistical correlation was proved between the elaborated strategy, the size of the enterprise and number of management levels. A strong correlation between the number of management levels and the aim of the enterprise i.e. the type of organization structure was not proved.

Key words

Organizational and management structures, enterprise profitability, transforming enterprise architectures

JEL Classification: M210

Introduction

From the historical perspective, the Region of South Bohemia has always been perceived as an agricultural, fishing, and forestry area. During the course of the last century, it had slowly begun to develop industry focusing on manufacturing activities. This region features more than seven thousand ponds with an overall area of more than three thousand hectares of water area. As of December 31st 2015, there were 130,849 SMEs active in the region, of which 113,172 were self-employed persons and 4,897 were agricultural entrepreneurs. The overall number of employees in SMEs was 163,411. Currently, the dominant structures on the market in the region are wholesale and retail, as well as automobile repairs and maintenance. There is a large number of microenterprises

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in the areas of accommodation, restaurants and hospitality connected to tourism. Small engineering enterprises are also common. Microenterprises (subjects with 1-9 employees) dominated the region and made up 7.4 % of the region's enterprises. Small enterprises (10-40 employees) were 1.4 %; medium-sized enterprises (50-249 employees) were 0.4 %.

Small and medium-sized enterprises in the Czech Republic is in 85 % of cases being conducted in rural areas, which make up 75 % of the country's area. The analysis conducted by the Association of Small and Medium-Sized Enterprises (2017) shows that there is a significantly negative development of enterprises in rural areas – more than 45 % of enterprises are categorized as less developed. The number of scientific publications demonstrate the causal relation between the development of rural regions and the development of small and medium-sized enterprises. The deciding factor for the possible development of the region is the accessibility of human, natural, social, technical, and financial capitals (Bridge, O'Neill, Cromie, 1998; Arriba, 2009). The issue of developing production functions of the region requires (Vaishar et al., 2011) that as much income as possible remained or was reproduced in SMEs that are closer to an endogenous direction of development. Interconnecting all functions of regional development into one harmonious whole seems to be key, as well as synergy and cooperation of individual activities and players of development on both the local and the regional levels while respecting the specific needs of the given area (Van der Ploeg et al., 2000; Muilu et al., 2004, Marsden, Sonnino, 2008). Many authors (García-Ruiz et al., 1996; Fjellstad, Dramstad, 1999; Moreira, Rego, Ferreira, 2001; Novotná, 2000; Olsson, Austrheim, Grenne, 2000; Zemek, Heřman, Bufková, 2001; Kubeš, Mičková, 2003) focused on the analysis of development functions of selected areas in various regions within selected countries. It is, therefore, evident that the issue of SMEs in the current state of economic development needs to examine not only enterprise architecture of SMEs but its potential fundamentals as well – its external environment. Only if these directions are in harmony, we can expect synergy and long-lasting effect of such solutions (Váchal, Straková, 2015; Vochozka, Váchal, Straková, 2016).

When discussing SMEs, the 21st century has raised questions of efficiency, stability, and their relation to the external environment of enterprises (Havlíček, Kašík, 2005; Šebestová, 2007; Vojík, 2009; Hamplová, Provazníková, 2015; Hribík, 2010; Helfat, 2007). Opinions that state that strategic approach to managing small enterprises is not valid have been gradually abandoned (Pleitner, 1994; Brodbeck et al.; 1995). Elements of strategic management of SMEs have started to be relevant in the 1960s and 1970s primarily in developed economies with a developed market economy. Porter (1995) introduced a new term to strategic management – the competitive advantage. The 1990s were an important turning point. At that point, the world and European markets were saturated and were forced to change their previous approaches to management and planning. In Czech conditions, the state managed and planned economy begun to transfer into a system of market economy connected to European and world-wide economic systems. SMEs gradually found their place in the new market economy playing irreplaceable transformational and stabilizing roles (Kislingerová, Nový et al., 2005; Synek et al., 2006; Vojík, 2006; Veber, Srpová et al., 2008).

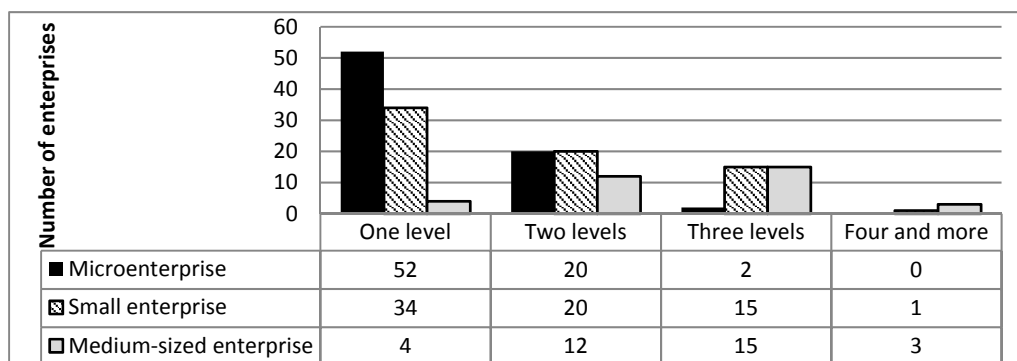
1 Method

The basis for the entry is a questionnaire survey in the entrepreneurial sector in the entire Czech Republic (Straková, Váchal, Pártlová, 2016, 2017), which is still being conducted. The overall number of enterprises contacted via trained questioners is more than 500 with more than 350 SMEs. As a part of this sample, SMEs from the Region of South Bohemia were selected making the current testing sample 180 enterprises – 74 microenterprises, 71 small enterprises, and 35 medium-sized enterprises. The research also deal with increasing trends in organization business structures. Simultaneously, the number of employees at individual levels of management in relation to the distinction of size categories was analysed. The second area of research focused on the strategic management and decision-making in the current business environment. It dealt with boosting prospects, business strategies and their decomposition to tactical and operative levels. The way of elaborating the materials (internal or external sources) was also examined. The statistical correlation was tested between levels of strategic management and the size of the enterprise, sectoral, number of management levels and type of organizational structure. From the available statistical methods, the Pearson’s chi-squared test and the Cramer coefficient of contingency were selected. Statistical calculations were conducted by using the statistical program R. All statistic tests were done on the standard confidence level 0.05, i.e. 95 % of reliability. Provided p-value is lower than level of importance 0.05, the difference will be considered as significant.

2 Results and Discussion

From the perspective of the steepness of the management structures (Graph 1), we can conclude that small and medium-sized enterprises primarily feature one level of management; medium-sized enterprises feature two management levels. The size of the enterprise by itself predetermines the number of management levels; a statistical dependency is present. Primarily in microenterprises, this is caused by the dominating functional organizational and management structures, similarly to the medium-sized enterprises.

Graph 1 The number of management levels in individual size categories of SMEs



Source: Own calculations

From the perspective of the limited extent of the entry, the authors chose to only comment the results in written form.

When analyzing *the number of employees in the top level (top management)*, we can state that all three size categories feature 6 or less employees in the top management positions. Primarily in medium-sized enterprises, there should be some redistribution of competences and creating departments with individual focuses, such as f. e. the sales manager, the financial manager, or the human resources manager.

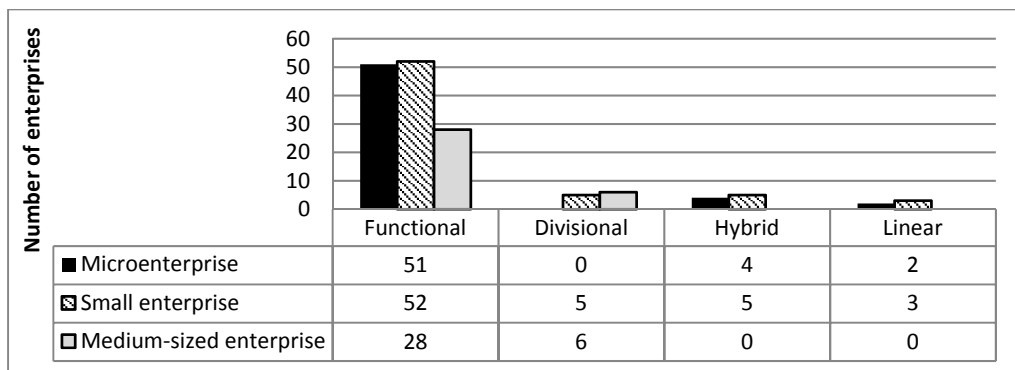
In the *position of middle management*, the number of managers on the tactical level is around the extent of 25 or less employees; only rarely it is featured in the extent of 25 or more employees – primarily in manufacturing enterprises.

From the perspective of the *number of employees on the operative level*, the categories of microenterprises and small enterprises (30 or less employees) had the highest extent of management. This can be explained by the size of the enterprises and their focus.

The extent of tactical management is around 20 or less employees in the size category of medium-sized enterprises.

The management and organizational structures from the perspective of their implementation in the individual size categories were also the target of the research. The results are shown in Graph 2.

Graph 2 The types of organizational structures in individual size categories of SMEs



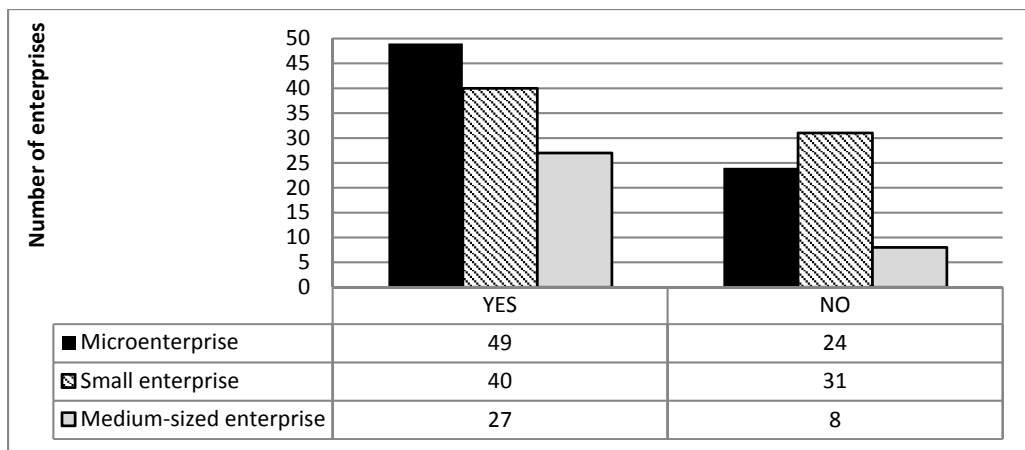
Source: Own calculations

The majority of featured enterprises have the so-called functional organizational structure. The functional structure reflects changes that are currently taking place in the business sector. These are primarily production specializations, increasing innovational activity of such enterprises, introducing informational technology – all during increasing competitive pressure. More than 90% managers were satisfied with the current organizational structure.

The survey then focused on questions of strategic management and decision-making. The results featured in graphs 3, 4, and 5 show data on vision processing, the enterprises’ mission, own strategies and their implementation into the levels of tactical and operative plans.

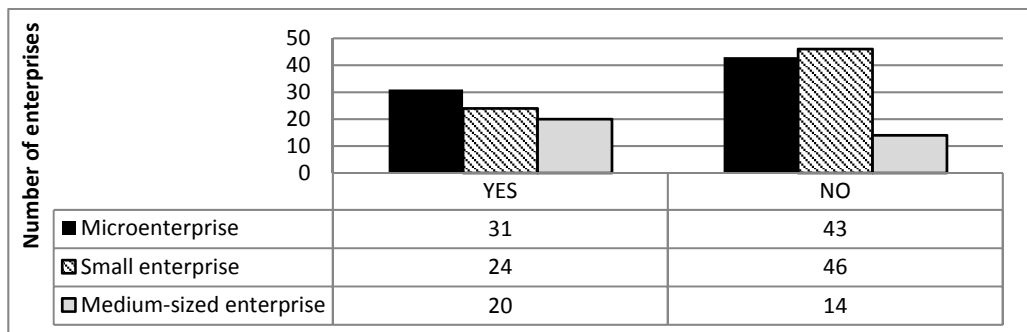
The results featured in Graph 3 show that majority of surveyed enterprises have a vision, mission, and formulated strategic goals of further development. It is surprising and a very positive result especially for microenterprises and small enterprises. From the perspective of transferring strategic goals into the tactical level (Graph 4), the survey shows that microenterprises and small enterprises focus primarily on strategic goals, which differs from medium-sized enterprises where the transfer of strategic goals to the tactical level is in majority realized.

Graph 3 Creating of visions, missions, and strategic goals for the individual areas of the enterprise



Source: Own calculations

Graph 4 Strategic goals and their processing



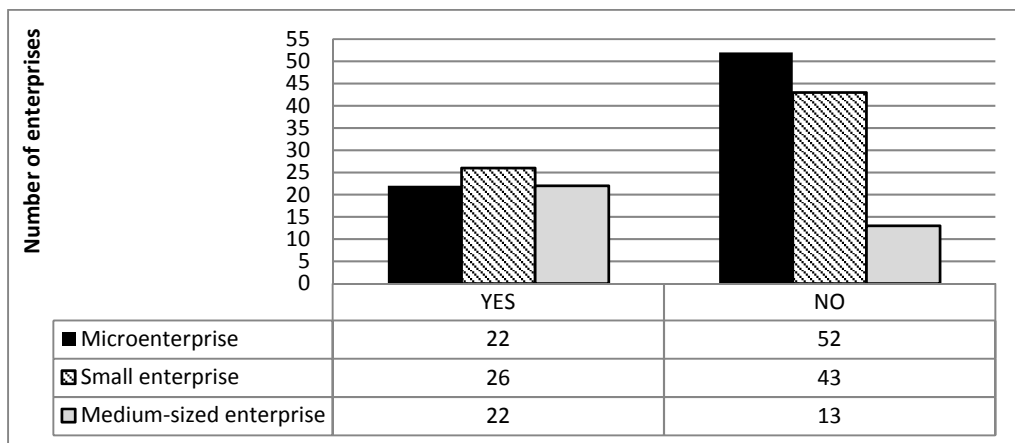
Source: Own calculations

As demonstrated in Graph 5, microenterprises and small enterprises in majority lack an enterprise strategy while medium-sized enterprises usually feature a fully formulated enterprise-wide strategy. The size category of the enterprise is crucial here, including the knowledge and skills of managers on the individual levels of management.

The following question focused on the method of creating an enterprise strategy (Graph 6). If the respondents answered that they have a fully formulated enterprise-wide strategy, it was usually provided by the employees of the enterprise in the

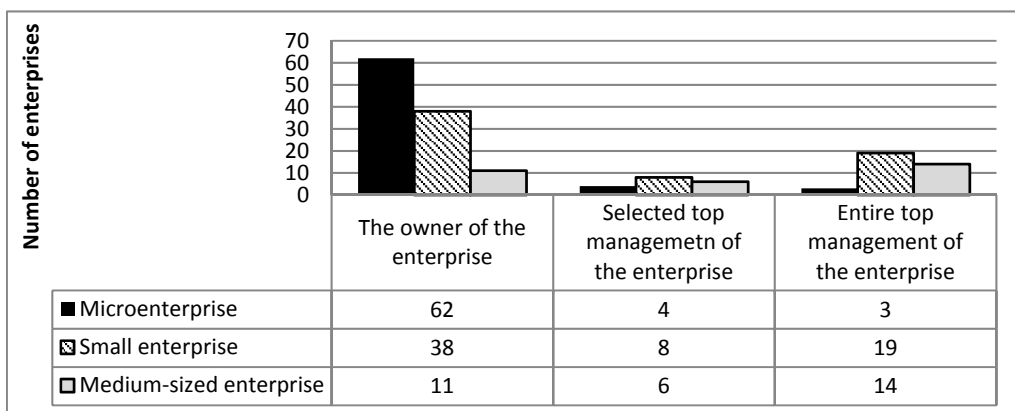
case of microenterprises and small enterprises; medium-sized enterprises usually cooperated with top management. Creating an enterprise strategy is usually also connected to dividing such strategy into partial strategies (Graph 7). Enterprises that have a fully formulated enterprise-wide strategy also divide the strategy into levels of the so-called functional or partial strategies. Enterprises that feature a simple linear structure do not divide their enterprise strategy into partial strategies. In connection to this, the cooperation of the top managers with middle management was observed on the tactical – meaning the middle – level. Approximately a third of the enterprises show signs of the top management cooperating with middle management when creating partial strategies. This fact can have a positive effect on creating strategies thanks to its complexity as well as the correct processing of the content.

Graph 5 Long-term development of the enterprise (Enterprise strategy)



Source: Own calculations

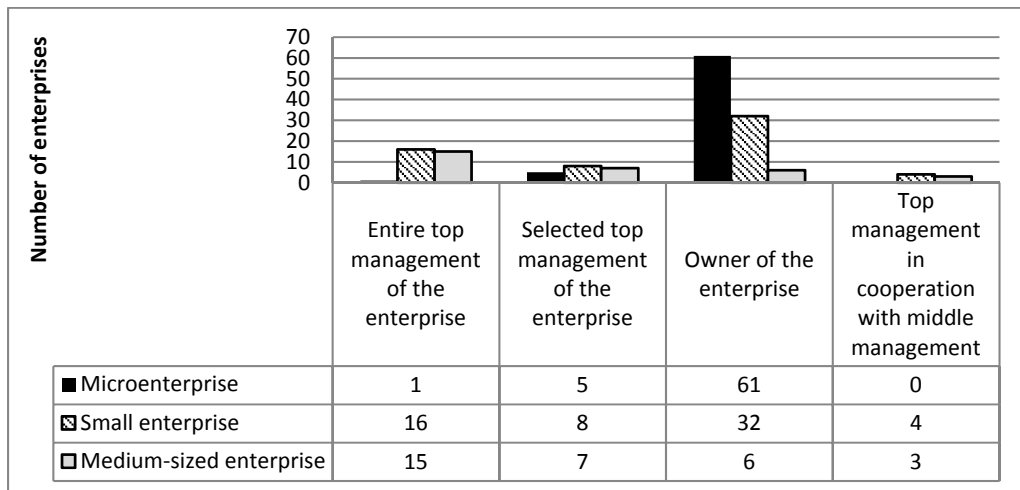
Graph 6 Who cooperates on the long-term development of the enterprise



Source: Own calculations

The dependency between the created enterprise strategy and the size of the enterprise was tested ($\alpha = 0.05$, $p = 0.003973$, Chi-square = 11.0564, Number of respondents 178, $V = 0.2492$). The p-value is lower than the α parameter, which means that according to the alternative hypothesis there exists a dependency between the existence of a long-term development plan and the size of the enterprise. The p-value indicated a relatively significant dependency although it is only 0.2492.

Graph 7 Creating of partial strategies



Source: Own calculations

In the last part, the dependencies of selected parameters were tested. The first test focused on the dependency between the number of management levels and the creating of a long-term development strategy (see Table 1).

Table 1 Dependency between the number of management levels and the creating of a strategy

How many levels does your enterprise have					
Who cooperates on creating the strategy	One level	Two levels	Three levels	Four and more levels	In total
Entire top management of the enterprise	7	11	14	3	35
Selected top management of the enterprise	4	5	9	0	18
The owner of the enterprise	71	31	7	1	110
In total	82	47	30	4	163

Source: Own calculations

The calculated values ($\alpha = 0.05$, $p = 0.00000001239$, Chi-square = 47.8964, Number of respondents = 163, $V = 0.5421$) indicate a very high level of dependency (the p-value is smaller than the α parameter) between the number of management levels and the group of persons cooperating on creating a long-term development plan. Even the level of this dependency having the value of 0.5421 is relatively high.

The dependency between the number of management levels and the focus of the enterprise (its sector) was also tested; see Table 2.

Table 2 Dependency between the level of management and the enterprise's focus

Number of management levels					
Focus of the enterprise	One level	Two levels	Three levels	Four and more levels	In total
Primary sector	4	1	2	1	8
Services	64	38	21	2	125
Manufacturing and industry	21	13	8	1	43
In total	89	52	31	4	176

Source: Own calculations

The p-value is higher than the α parameter ($\alpha = 0.05$, $p = 0.5297$); based on the null hypothesis, there is no dependency between the focus of the enterprise and the number of management levels.

The dependency between the number of management levels and the size of the enterprise was then also tested (see Table 3).

Table 3 Dependency between the number of management levels and the size of the enterprise

Number of management levels					
Size of the enterprise	One level	Two levels	Three levels	Four and more levels	In total
Microenterprise	52	20	2	0	74
Small enterprise	34	20	15	1	70
Medium-sized enterprise	3	12	14	3	32
In total	89	52	31	4	176

Source: Own calculations

Based on the calculated results ($\alpha = 0.05$, $p = 0.000000008665$, Chi-square = 48,6737, Number of respondents = 176, $V = 0.5259$), we can state that if the p-value is significantly smaller than the α parameter then there exists a very high level of dependency between the number of management levels and the size of the enterprise. The level of contingency is also very high, namely 0.5259.

The last test focused on the dependency between the organizational structure type and the number of management levels (see Table 4). The results ($\alpha = 0.05$, $p = 0.719$) show that the p-value is significantly higher than the α parameter. Based on the null hypothesis, there is no dependency between the organizational structure of the enterprise and the number of management levels.

Table 4 Dependency between the organizational structure and the number of management levels

Organizational structure	Number of management levels				
	One level	Two levels	Three levels	Four and more levels	In total
Divisional management structure	2	4	3	0	9
Combined management structure	5	2	3	0	10
Department management structure	56	44	25	4	129
In total	63	50	31	4	148

Source: Own calculations according to the questionnaire survey

Conclusion

The analysis of the management system of SMEs and the evaluation of strategic management and decision-making created an objective glance at one of the existing potential development reserves of enterprise activities. The results that were collected during the research conclusively document it.

In the areas of organization and management, it can be conclusively stated that:

- Assessing the abruptness of controlling structures proved that micro and small enterprises prefer one management level, while middle-sized enterprises prefer two management levels with proven statistical correlation of the size category of the enterprise. Both categories showed a transfer to the functional organization structure.
- In regard to the number of employees at the individual management levels, following conclusions have been reached: All size categories have 6 and fewer employees at the TOP level, the middle level of management does not exceed 25 managers and the operative level indicated up to 30 employees.
- With respect to the organization structure, there is a significant deviation from the common organization structures to the functional ones. This accelerating

trend reflects changes in the business sphere, e.g. the process of professional specialization, innovation process and the process of increasing the added value of their products and services. All the same, more than 90 % of enterprises consider their current organization highly satisfactory.

The results of the enterprise strategy area can be presented as follows:

- I regard to the strategic management and decision-making, it might be concluded that the major part of enterprises boosts an inviting prospect of the strategic goals of the further development, which indicates a surprising, yet positive outcome. As a matter of fact, working out strategic goals into the tactical level of micro and small enterprises is not carried out, while the decomposition of strategic goals is mostly carried out in middle-sized enterprises.
- On the other hand, the formal elaboration of the business strategy is dominated by the management (owners) of the enterprise, beginning with middle-sized enterprises, then board of directors, where decomposition to lower levels of management is carried out. Ca 30 % of enterprises showed an active cooperation of the board of directors with the middle management on developing a coherent strategy.
- A statistically significant correlation was proved between the elaborated business strategy and the size of the enterprise ($\alpha = 0.05$, $p = 0.003973$, Chi-square = 11.0564, number of respondents 178, $V = 0.2492$), and at levels of management with the view to the management of working out strategies ($\alpha = 0.05$, $p = 0.0000001239$, Chi-square = 47.8964, number of respondents = 163, $V = 0.5421$). On the other hand, a correlation between the number of levels of management and aim of the enterprise ($\alpha = 0.05$, $p = 0.5297$) and between the type of the organization structure and the number of levels of managements was not proved on the grounds of the zero hypothesis.

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Application of PRINCE2 Project Management Methodology¹

Radka Vaničková²

Abstract

The methodology describes the principle of setting a project in PRINCE2 project management. The main aim of the paper is to implement PRINCE2 methodology to be used in an enterprise in the service industry. A partial aim is to choose a supplier of the project among new travel guides. The result of the project activity is a sight-seeing tour/service more attractive for customers in the tourism industry and a possible choice of new job opportunities. The added value of the article is the description of applying the principles, processes and topics of PRINCE2 project management so that they might be used in the field.

Key words

Small and medium-sized enterprises, services, tourism sector, life cycle of the project, project management, PRINCE2 methodology.

JEL Classification: L 83, L 84, O 22.

Introduction

After joining the European Union, the business environment is characterized by a relatively high degree of openness of the economy, harmonization of national regulations with EU legislation, decreased income tax rates, a high level of employee protection (termination of employment), a limited capital market, a consolidated banking sector, rights, inflows of foreign investment, and improving choice of industrial green-field projects (Vochozka, Mulač a kol., 2012).

As reported by Kovář, Hrazdilová and Bočková (2016), small and medium-sized enterprises account for almost 90 % of the total number of enterprises with a share of 50-70 % of total employment and a share of 30-70 % of GDP. CzechInvest (2014) defines micro-enterprises, small enterprises and medium-sized enterprises as businesses with less than 250 employees whose annual turnover is below EUR 50 million or their annual balance sheet total is below EUR 43 million (Rodney Turner, Ledwith, Kelly, 2009).

Regarding the small and medium-sized enterprises, small enterprises are defined as those with less than 50 employees whose annual turnover or annual balance sheet total is below EUR 10 million. Micro-enterprises are defined as those with less than 10 employees whose annual turnover or annual balance sheet total is below EUR 2 million.

¹ The paper deals with PRINCE2 methodology of project management and its application. The introduction of the paper describes the business environment in the Czech Republic, tourism, service industry and the importance of PRINCE2 project management.

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The small and medium-sized enterprises are supported by a document called *Koncepce podpory malých a středních podnikatelů na období let 2014 – 2020* (Support for Small and Medium Sized Enterprises for the Period of 2014-2020) under Act 47/2002 on Support for Small and Medium Sized Enterprises. There are also a lot of organizations supporting these enterprises, such as the Czech Invest Investment and Business Development Agency, the Czech Trade (Government trade promotion agency of the Czech Republic), the Czech Export Bank, EGEAP (Export Guarantee and Insurance Corporation), the South Bohemian Chamber of Commerce, the Regional Development Agency of South Bohemia, the Agrarian Chamber of the Czech Republic, Information Centre of the EU (Strakonice.cz, 2014).

The advantages of small and medium-sized enterprise include less complicated management structures (Wautelet, Kolp, 2016), better market flexibility and addressing market gaps, creation of new jobs, and support for the development of towns and municipalities. On the other hand, they are limited by a low market share, a lack of capital and more difficult entry into foreign markets. Common failures of small and middle-sized enterprises include inappropriate choice of core business, localization, employees, and inefficient management and strategy (Smyth, 2014).

Tourism is defined (Ryglová, Burian, Vajčnerová, 2011, p. 18) as the activity of a person travelling for a temporary period to a location outside their traditional location, for a shorter period than specified, the main purpose of such activity is different from a professional or trade activity. Business in tourism industry is not a single year business; sometimes a businessman has to deal with a difficult season. The sector is dependent on natural and historical attractions, such as localization factors, natural and social attractions, and political and administrative conditions such as selective factors (cooperation, management, political situation) and implementation factors such as transport, accommodation (Lišková Dvořáková, Klufová, Škodová Parmová, 2016). Due to a growing standard of living and new technologies, tourism is more accessible to more people; it is an inherent part of the life of a consumer society. As the industry is progressively developing, it is necessary to respond to new and emerging markets, especially in the European Union and Asia. The area of environmental protection and sustainability for future generations and safety for travellers are priority issues. It is also necessary to consider changes in the preferences of consumers in terms of the age category, e.g. programs for generations 50+, growth of family income (in case of 1 %, spending is 2-2.5 % in the Czech Republic) and interest in self-education mostly language courses. It is always appropriate to approach consumers' needs individually. In the Czech Republic there are about 1400 travel agencies, most of which are small businesses. The biggest competitors in the market include Čedok, Exim Tours a Firo – tour. Travel agencies and tourist offices services are defined by Government regulation 278/2008 Sb., on the contents of individual trades, as amended; and by § 2 of Act 159/1999 Sb., on conditions of business in the tourism industry, as amended (Česko, 2010).

The European Union divides countries into NUTS (French: *La Nomenclature des Unités Territoriales Statistiques*), (Politika Regionální, 2013) for statistical purposes and assessing the level of the regions and determining their support from EU funds. In the Czech Republic, there are the CZ-NUTS with the following levels: NUTS 5 - municipalities (České Budějovice), NUTS 4 - districts (České Budějovice), NUTS 3 - (South Bohemia region), NUTS 2 – Southwest region and NUTS 1 - the Czech Republic (Český statistický úřad, 2012).

The most important town of the region South Bohemia is located in the middle of the region near many natural (Třeboňsko) and cultural sites (Český Krumlov – UNESCO).

Integrovaný plán rozvoje území 2014-2020 (Integrated Territorial Development Plan 2014-2020), proceeded by Strategický plán rozvoje města (Town Development Strategy) aims to strengthen the competitiveness and quality of life of citizens in České Budějovice through the development of infrastructure, competitiveness, education and environmental sustainability of the territory. The integrated plan is held by the Statutory City of České Budějovice with the gradual involvement of users, i.e. municipalities, working groups in culture, education, sport and entrepreneurship and the public by the methodological instruction of the Ministry for Regional Development of the Czech Republic.

By Český statistický úřad (2014), the region of South Bohemia is the third most attractive region for tourism as reported by Strategie rozvoje cestovního ruchu v Jihočeském kraji v období 2009-2013 (the Strategy of the development of tourism in the region of South Bohemia in 2009-2013). The development of the industry is possible due to natural, cultural and historical heritage of the region. The strategic development vision is designed to support the competitiveness of business entities and human resources (Vnoučková, Urbančová, Smolová, 2015) with an emphasis on the natural, historical and cultural heritage, by increasing the availability of public and private services for residents, entrepreneurs and tourists, while respecting the principles of sustainable development. Next paragraph of project management is dependent on the people, i.e. the bearers (Kerzner, 2013). The PRINCE2 project management methodology application is based on experience of professional project managers (Şimşek, Gümüşkaya, 2013). The advantages of the methodology include usability, definition of project responsibility and reuse in project management with emphasis on the quality of the project output. The Cio Stuff journal (2011) compares the project management methodologies such as PMBOK, PRINCE2 and Agile. The results revealed that Agile is better for a small project and PMBOK is more useful if the project is managed by a single person (Yen, Peng, Gee, 2016). PRINCE2 offers a standard approach to management. Its project management methodology is mainly used by government and global organizations. PRINCE2 implements project management based on four pillars of the methodology, i.e. Principles, Themes, Processes and Adaptation PRINCE2. Principles are mandatory elements that guarantee project management. The themes point to the philosophical aspects of the project, realized through the processes at the beginning, during the implementation and at the end of the project.

The principles were based on experience from the previous projects (both successful and unsuccessful). If the project is to be managed with the support of the PRINCE2 methodology, the principles need to be respected because they are defined as universal, applicable to any project and supporting, offering the possibility of adapting to project management and its needs (see Figure 1).

Figure 1 Seven principles of PRINCE2 methodology



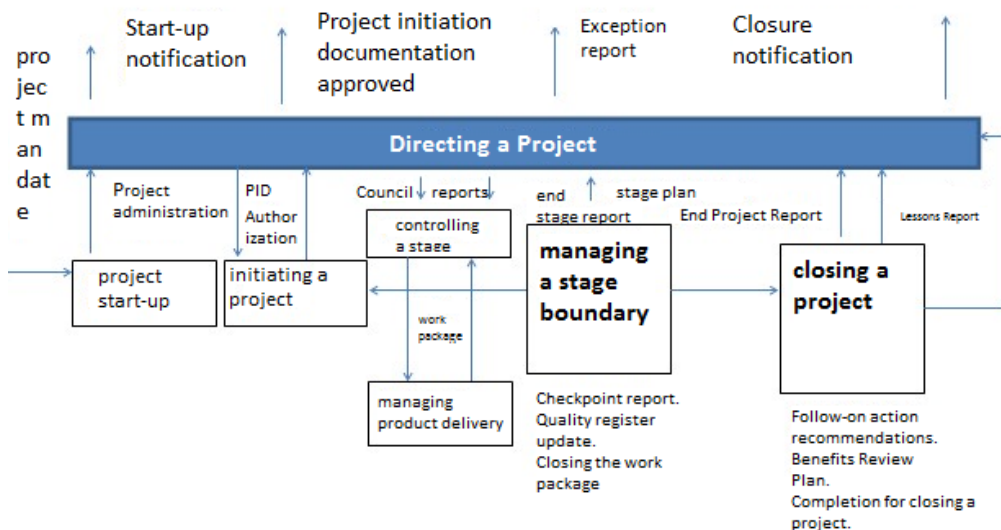
Source: Bentley, C. (2010). The Essence of the Project Management Method. England: INBOX SK.

Managing by stages allows a regular assessment of the last stage and proceeding to the next stage. An advantage of such attitude is a possibility to break the project up into manageable chunks (Guide, 2008). The number of stages depends on the size of the project and related risks (Bentley, 2010).

Space between paragraphs according to the template Prince2 methodology, the project should focus on products, i.e. the description, purpose, composition, origin, structure, qualitative criteria and methods. The product description guarantees determination of labour, resource requirements, interdependence and schedule of activities, tailored to any project environment. If PRINCE2 is incompatible with the environment, project management is not adequate.

A business case answers the question Why? A project must be based on a viable Business case. The business case must be verified before the project is realized. Project organization answers the question Who? It is a definition of roles, relations and responsibilities of all the people involved in the project. Quality answers the question What? It describes expected customer quality, including quality control. Plans answer the questions: How? How much? When? Plans are tailored to the size and needs of projects. The risk relates to the question: What if? Risk management and anticipation are an essential part of the PRINCE2 methodology. The change relates to the question: What is the impact? Development is related to the question: Where are we? Where do we go? Should we continue? (see Figure 2).

Figure 2 Organization and program management



Source: Doležal, J. a kol. (2016). Projektový management. Praha: Grada.

PRINCE2 methodology defines the following processes during the life cycle of the project:

Starting up a Project - this process is gathering the information necessary for the project, appointing an executive and a project management team, decision on the attitude applied in the project, defining the quality expected by the customer, planning the work needed to prepare an agreement between the customer and the supplier, creating a project manager's log (recording the first risks, etc.).

Initiating a Project - the aim of the process is to verify whether the project has business merit, including defining the project parameters. A document called Project Initiation Documentation is assembled and used to assess the success of the project. Furthermore, strategies for quality, risk, configuration and communication are assembled.

Directing a project - the process is owned by senior management whose goal is to delegate responsibility for project success to the Project Board. It means the standard setting of activities delegated by the project manager and his team. Higher management implements the preparation and approval of the project plan, the approval of the project implementation, the project viability check, the monitoring of the progress and the successful completion of the project.

Controlling a stage - this process describes the day-to-day activities of the project manager to monitor the progress of the project and to check the individual activities. Project Manager implements activities such as work approval, information gathering, risk monitoring, situation review, reporting, and possible corrective actions.

Managing product delivery - the process ensures communication between the project manager and the team of experts, especially if the project team comes from the

contractor. The process includes, for example, planning, verification, reconciliation and assignment of assigned team work according to the required quality, reporting to the manager and accepting the products.

Managing stage boundaries – the aim of the process is to finish a stage and to plan another, including updating a project plan; updating a project business case; updating the risk register; reporting stage end; and transition to the next stage.

Closing a project – covers the process to comply with the project manager's request to terminate the project in due time after the project goals are met. The output of the project end phase is to record the scope of the project's objectives, to confirm customer satisfaction with the product, to ensure measures appropriate for maintenance and support of the project, to gain experience from project implementation and to report on the contribution of the project.

The PRINCE2 methodology is the most common, as reported by Caulking, Davies (2007), and it is also recommended by the European Union and the governments of the member states. Unfortunately, it is not so widespread in the Czech Republic and Slovakia as noted by Rajnoha, Dobrovič (2017) and by Hrazdilová Bočková, Gabrhelová, Hilčíková (2015) too. Companies using PRINCE2 are usually foreign commercial agencies (Smithson, Charalabidis, Askounis, 2010) such as ČSOB, DHL, Fujitsu Siemens, ING, Tesco Stores, and Lease Plan. The most important subjects outside the Czech Republic using PRINCE2 include Deutsche post, NATO, OSN, EU and also some states such as Germany and the Netherlands.

The uniqueness of the PRINCE2 project management methodology is seen by the author of the paper in its versatility and adaptation to a particular environment. To determine the size of an enterprise, it is possible to follow the definition of medium and small businesses according to EU standards.

2 Methodology and objectives

In the paper (Application of PRINCE2 project management methodology) PRINCE2 methodology was applied to an enterprise in the sector of services.

The project's aim was to offer a more attractive programme of a sight-seeing tour with a more attractive range of sports activities for groups of less than ten people. It should provide customers with knowledge of the country including its cultural and natural heritage, culinary and gastronomy, travel options, e.g. by boat, plane, bus, bicycle or on foot. The clients may be offered leisure sports activities such as walking trips, cycling and mountaineering, rafting, sea kayaking and skiing, and unusual accommodation such as family farms with agro-tourism, farms and ranches, boarding houses, hotels and

sleeping outdoors „beneath the stars“. The clients could also try how to make sheep cheese and Bryndza (a type of sheep milk cheese), milking goats and cows, and picking herbal medicines, such as true lavender). The trips were realized in Central and Eastern Europe.

A partial aim of the paper was to choose a supplier of the project among new travel guides. The local residents from the Czech Republic, familiar with local cultural customs and traditions, respecting the civic life and the natural beauty of the area, who are currently unemployed, were engaged.

The result of the project activity was designing a more attractive tour / service program for tourism and tourism customers with the possibility of offering new jobs.

A target customer was defined after a questionnaire survey in March and April 2016. The gender-balanced target group consisted of sporty young people aged 18-36 from the locality of South Bohemia. There were 68 participants.

The added value of the paper is the description of applying the principles, processes and topics of PRINCE2 project management so that they might be used in the field.

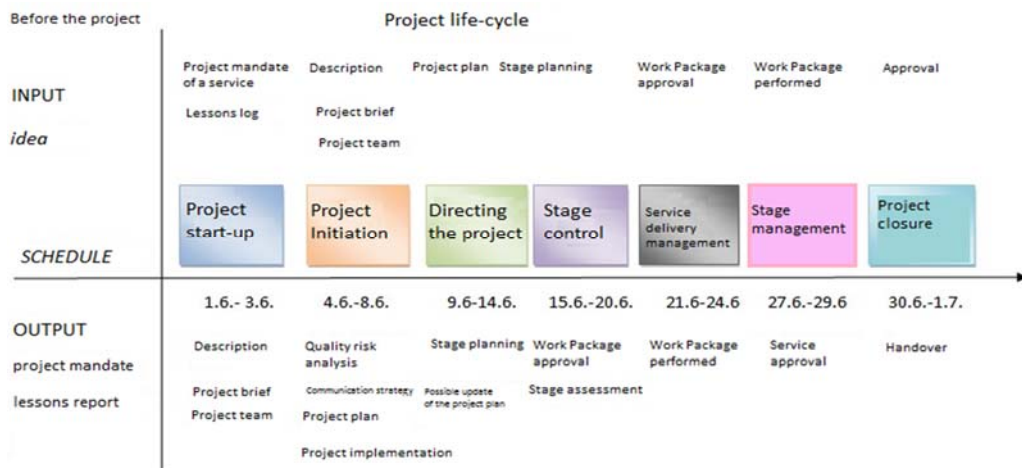
The following hypotheses were prepared:

1. Using the PRINCE2 project management methodology, the success of the project is more likely to be achieved, when the PRINCE2 provided methodology is followed.
2. The PRINCE2 methodology is applicable to any business and project.
3. PRINCE2 is not used to create regular services such as newspaper sales.

3 Results and discussion

The paper presented a sample enterprise of the tourism industry. The legal form of the enterprise was a limited liability company (see Figure 3).

Figure 3 Draft of the project plan



Source: own.

The life-cycle of the project has seven stages. The result of the Project start-up was appointing a project sponsor and a project manager. Since it is a small enterprise,

the start of the project was the responsibility of the founder of the limited liability company. Before the project start-up, a mandate of the project was defined, coordinating description, scope, goals, a responsible person, a business case, risks and expected quality of the project.

Based on market, industry and competition analysis, the results of situational analysis were designed, pointing to recurring mistakes, such as a consistent range of services, seasonal prices, limited cost calculation, and inappropriate choice of suppliers, untimely advertising, or unfavourable sales promotion. Based on the questionnaire survey, the target customer was defined, i.e. young people from the South Bohemia aged 18-36.

The SWOT analysis found that a limited liability company discloses strengths and opportunities for doing business on the global market. For a start-up company, the offensive position is advantageous; it supports a steady clientele, credibility, and financial stability.

As revealed by Porter's Five Force Analysis, the threat of industry rivalry is not alarming anyhow, although an entry into the industry is not simple, it requires some extensive activities, e.g. obtaining a concession to run a travel agency, and insurance against bankruptcy. The substitutes in the tourism and tourism sector occur to a small extent on the market, because most travel agencies are focused on holiday trips, and the attractiveness of the industry attracts potential competitors. For a limited liability company, it is crucial to maintain a permanent clientele and attract new potential customers with an emphasis on the attractiveness of the industry and a unique offer of sightseeing tours together with the possibility of sports activities according to the clients' interest. A significant impact on the functioning of society is related to a socio-cultural area, as confirmed by the STEPL analysis. The technology area appeals to the prevention of the moral wear and tear of long-term assets and the political-legal area is closely related to business in the service sector.

In the Initiating the Project stage, the requirements for quality management, risk, communication, documentation including project implementation requirements, were drafted. For quality management activities, the offered service, i.e. sightseeing tours and accompanying service of a travel agent vendor, was evaluated. Through the collection of information, the individual life cycle processes of the project were described. Since the start of business requires high entry costs, small businesses often offer cost-priced services, a thorough input / output calculation is required for each process. The low skill level of human capital or the low interest of motivated employees has a considerable impact on customer dissatisfaction (Porubčanová, Vojteková, 2014). Inappropriate choice of a supplier does not allow adequate accommodation and catering services, which affects the lower purchase capacity of the tours. Pleasant equipment of a shop and its interior, but also by intangible means such as music, scent, and lights, creates a pleasant atmosphere in promoting sales, promotion, and advertising effectiveness. Calling for an effective workforce organization increases the performance of service sales (Clayton, Backhouse, Dani, 2012).

In addition, project risks were analyzed, such as the risk of increased inflation, war conflicts, high input costs of the enterprise, low loyalty of customers and employees in the tourism industry. The risks were defined during the life cycle of the project due to possible elimination (the process was assessed by mystery shopping).

Directing the Project stage designed a project plan. In Stage control, the stages were accepted, different tasks and possible risk was identified. The risk was mostly related to the demand for more attractive services such as localization risks - natural and social attractions (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, Villanueva, 2014).

In the stage of Service Delivery Management, work requirements and work processes were identified ((Verlaine, Jureta, Faulkner, 2016). The output of this stage established a comprehensive offer of services, calculated the cost of each trip, determined the price and created advertising materials. During Project Closure, the services were transformed to final users. No foreign sources were used to fund the project. The project cost calculations in the amount of CZK 363,285 and the expected return on the full capacity of the tours, CZK 2,142,640 reflects the profit of the project.

Based on the hypothesis formulation in the implementation of the PRINCE2 project management methodology, the hypothesis of the higher probability of success of the project, provided that the PRINCE2 methodology is followed, was proved. Using the methodology, the risk analysis, the quality assessment and the timetable plan were designed, eliminating potential discrepancies in the successful completion of the project.

The PRINCE2 methodology is applicable to any business and project. It is versatile and adapts to the area and size of business. The assumption is correct.

PRINCE2 is not used to create regular services such as newspaper sales. The hypothesis is true. Although the company sells sightseeing tours, a new, innovative, timely and specific service offer is always presented, i.e. each project is original and unique.

PRINCE2 Project Management Methodology uses techniques and procedures to help planning by stages, define roles in the organization, control quality and risk management. A valuable Business Case emphasizes efficient resource management. Risk management, project plan and other written documents ensure effective management. The results of the created project are favourable. The project was planned to be successful, as reported by competition and market analysis. The addressed company respond flexibly to any changes in the global market including a competitive ring.

The service was efficiently created using the PRINCE2 methodology and is now being used; the sustainability of the project depends on the promotion of the service (Lau, Wynn, Maryszczak, 2010). For the enterprise, it would be beneficial to use informative, entertaining, experience-based promotion (Dianoux, Linhart, Vnoučková, 2014), attracting users of the service on the first sight. The use of social networks, such as Facebook, Twitter or Instagram, to reach specific target group customers is beneficial from the point of view of effective marketing communication and expected by the enterprise.

The author of the paper decided to apply the PRINCE2 methodology to create a product / service of describing its benefits, simplicity and versatility of applying the methodology to any project.

Conclusion

The main aim of the paper was to implement PRINCE2 methodology to be used in an enterprise in the service industry describing the advantages of the methodology.

A partial aim of the paper was to choose a supplier of the project among new travel guides. The residents from the Czech Republic, who are familiar with local cultural customs and traditions, respecting the civic life and the natural beauty of the area, who do not work, were engaged.

A sample subject for a project should provide a service in the form of a more attractive program of a sightseeing tour with an expanded offer of sport, knowledge of cultural and natural wealth, gastronomic and culinary experiences, and the possibility of travelling by boat, plane, bus, and bicycle and on foot. Accommodation and catering facilities were chosen in the form of hotels, family guesthouses and farms and sleeping in a tent and outside. The goal of the enterprise was to provide an experience service, i.e. to meet customers' special requirements.

The project resulted into a service that offers unique opportunities for clients / users. The submitted project plan was designed according to the life cycle stages of the project, broken down by individual parts, including the evaluation of the project outcome and recommendations for possible measures.

The methodology may be adapted to any project as well as to the business entity; i. e. individual users can also be certified according to the PRINCE2 project management methodology. For a small project with a budget of less than CZK 200,000, the duration of the project (even a period shorter than one month) is the decisive criterion.

In order to achieve the business goal it is appropriate to monitor continuously the global market, optimize business processes, analyze the external and internal environment of the business, and respond to changing consumer preferences. The author of the paper agrees with Bentley's view (2010) that the result is the change that comes from using the output of the project, and the benefit is the measurable improvement that the result has brought. The author of the paper believes that the PRINCE2 project management methodology offers an effective approach to the implementation of the project with an emphasis on applicability in practice and project management. By using the methodology, the success of the resulting product increases with respect to the procedure, risk analysis and quality of the project life cycle.

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Productivity of Czech logistic firms: quality orientation, entrants and multinationals¹

Marek Vokoun²

Abstract

The paper analyses logistics industry in Czech Republic and analyzes clusters and groups of one hundred companies that were active in the market in 2014. Analysis is based on the economic theory of endogenous growth and technological spillovers of multinational firms. They have the know-how and technology, which makes them more productive than local firms which tries to catch up the leaders and try to get as much knowledge as possible. This paper contributes to this theory. Key findings for this transitional economy is that quality certification is not beneficial for labor productivity and earnings, there are differences among multinational firms in terms of output efficiency and they are on average more productive than local firms, older firms are less productive than younger, but entrants are not more profitable than older firms.

Key words

multinationals, certificates, convergence, entrants, logistics

JEL Classification: O30, O40

Introduction

The paper analyses logistic firms in the Czech economy in 2014 and tests hypotheses about endogenous growth theories. Logistic firms are important in transferring data, information, and knowledge between businesses and they are essential part of the technological spillovers network. This paper explores this rather unique industry and its total factor productivity measured by sales per employee. Groups of firms in the market with certain characteristics like certification, ownership, and age are analysed. Usually, as economic theory predicts, foreign firms have the knowhow and technology that makes them more efficient. We can say that they have the competitive advantage, which allows them to gain higher earnings and appropriate more from their innovations which they brought from their home country. Local firms are so called imitators and try to catch up the leaders (they bring innovations new to the regional market) and innovate (they invest in innovation new to the firm) and try to get as much knowledge as possible. To do that they, for example, standardize their processes using ISO certificates, spend more on research and development etc. There are also so-called spin-off firms, young

¹ This paper is an output of the scientific work of Internal Grant Agency at the Institute of Technology and Business in České Budejovice, Czech Republic, internal grant IG2017 name: "Applying HR management tools in corporate education and managerial decision-making in human resources management, strategic management and innovation". Translation by Lívie Stellnerová, BA.

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companies, which are using modern information and communication technology and usually rather higher risk market strategies.

This paper explores and tests hypotheses about those technological and business model differences between certain groups of logistic firms in the Czech Republic in 2014. These hypotheses are built upon the endogenous growth theory, which emerged in the 1980s [Lucas 1988] as the neoclassical economic theory and became an innovative milestone of mainstream economics. Since then, many approaches [Nelson 1982, Dopfer 2005] implement microeconomic concepts, behavioural concepts, and more interestingly historical context [Greasley and Oxley 2011]. They aim at the complexity of economic activities [Liebowitz and Margolis 1995], analysis of social capital, and benefits of networks. These theories are broadly tested at the firm level, in organizations [Griliches 1992] where information and knowledge are amplified.

In the logistics industry, major changes occurred since 1990s because of the boom of the Internet and fast development in information and communication technology. The Global Value Chain companies are networks dependent on efficient logistics [Memedovic et al. 2008] and old methods [Stabler 1996] as well as new methods [Qureshi, Kumar and Kumar 2007] are employed to provide direct assistance and high-quality services. To do that practices of Total Quality Management and efficient Just in Time management must be employed. The main goal in logistics is to set up long-term contracted relationships and create formal and informal networks where information and knowledge flows have significant effects on productivity of participating companies [Prajogo and Olhager 2012].

Collaboration and networks where information and knowledge flows is thus also possible thanks to the logistic industry. It is not a coincidence that many so-called pull factors (information sources) and push factors (strategy, technology, society needs) of innovation originate in this industry [Gregory 2009]. The logistic industry enables flows of information and knowledge. On average, these strategic information flows positively impact management of assets, costs of operations, and productivity [Klein and Rai 2009]. These flows are also called spill-overs [Acs et al. 2009] that can be based on more information and knowledge flows in the logistics industry. The final technology or innovation incentive is a mixture of innovation push and pull factors, which are on the market. Foreign direct investments are one of the factors of technological change. It is not an exclusivity of former state planned economies like the Czech Republic but in transitional economies the positive productivity spillovers from foreign direct investment are stronger [Javorcik 2004] and small and entrant firms with low productivity benefit from multinational presence [Keller and Yeaple 2009].

This paper is aimed at three groups of logistic firms in the Czech economy. First group are multinationals, which have the know-how and technology. They are more efficient (managerial experience) and equipped (ICT) than local firms that are called imitators and try to catch up the leaders. Usually local firms are then seen as innovators because they are introducing new-to-the-firm innovations and sometimes new to the regional market innovations as well. They are pushed by new technologies and pulled to innovate by their clients and they invest in innovation projects and try to get as much knowledge as possible. We expect foreign firms to have higher sales [Vokoun 2014, Vokoun 2015] and their contribution to technological spillovers [Cantwell and Piscitello 2002].

Our second group of young firms in logistics industry deals with competition pressures. Relatively younger firms are usually some kind of spin-offs and we can expect them to be know-how and technologically well-equipped. In our sample, they are firms that were established in 2010 and are at most six years old. The selection of 6 years was based on practical reasons, i.e. on the number of observations necessary to estimate unbiased differences between groups of companies. We expect younger firms to be more cost efficient because the entrepreneurs could gain experience from spillovers in the transformation period of Czech economy.

The third group aims at quality management and targets premium services. To do that they standardize their processes using international certificates (at least ISO 9001). Many papers concluded that quality certifications help improve the management of logistics processes [Munuzuri et al. 2013] and on average ISO adopters had higher growth rates for sales [Levine and Toffel 2010]. In logistics however, there is a dilemma, which makes this quality adoption strategy problematic. Many whole trade and manufacturing firms are deciding to outsource logistics services. The decision to select a provider is based on quality, time efficiency and mostly on costs. Many seek high quality, low cost time efficient solutions but as always only two criteria are satisfied, which makes this dilemma an issue. For the logistics industry, there are results suggesting long-term positive effects on financial performance for logistics providers, which adopted quality certificates [Gotzamani, Longinidis and Vouzas 2010] but the productivity issue and comparison to lower quality competition is still unresolved. This is because a lot of companies have their processes already at a very high level of capability and they are unwilling to pay for probably unnecessary certification.

Current research is aimed at precise case studies of small sample of firms [Park and Lee 2015] and rather than productivity, we can see data envelopment analyses aimed at technical or operational efficiency [Min and Jong 2006] or sustainable financial health [Vochozka, Straková and Váchal 2015]. This paper makes use of rather basic econometric methods to evaluate three hypotheses about certain group differences in logistics industry in the Czech Republic in 2014.

1 Materials and Methods

Our data comes from the Business database provided by MagnusWeb, which is a representative database especially for the year 2014 in comparison to other commercial database products. There are 100 observations of firms in the logistics industry (NACE 52), and firms with empty observations in sales and fixed assets, firms with zero employees, 1 firm in the process of liquidation and one firm in the insolvency were deleted (Table 1). On average, there are 28 % foreign owned firms (more than 50% share in the company). There are young firms as well as firms established after the fall of Communism in 1989. The average firm is around 12 years old, but the standard deviation (6 years) is high and indicating high share of entrant firms and traditional companies. Other financial indicators vary a lot, especially earnings and sales from goods and services, and we can observe heteroscedastic data sample.

Table 1 Summary statistics of logistic firms in the Czech Republic in 2014

Variable	Mean	Std. Dev.	Min	Max
Firm's age	11.58	6.18	2	25
Number of employees	87.74	179.00	1	910
Foreign ownership	0.28	0.45	0	1
Certificate ISO 9001	0.20	0.40	0	1
Fixed assets	2.85e+08	1.65e+09	12000	1.53e+10
Sales	1.90e+08	3.98e+08	798000	2.59e+09
Earnings before tax	2.15e+07	1.20e+08	-4.33e+07	1.08e+09

Source: MagnusWeb database

A standard function (Equation 1) model was used for the production analysis [25]. The estimation is based on standard ordinary least square (OLS) method. Because of heteroscedasticity, the robust standard error is used to correct for estimation bias of beta coefficients. To test the specification of the model the Ramsey Reset test [Ramsey 1969] is used and the F statistics is reported. Because of the dummies in the estimation the baseline firm is a national firm without ISO certificates.

$$y_i = \omega \cdot X_i + \delta \cdot Controls_i + u_i \quad (1)$$

In the Equation 1 the $\omega \cdot X_i$ represents the vector of usual components of the production function (long term assets, number of employees), the expression $\delta \cdot Controls_i$ is a vector of control variables (ownership, age, and certification) that augments the total factor productivity function y_i , and u_i is the error term. The Cobb-Douglas function requires logarithmic transformation and there is known limitation of this approach, for example the assumption of near perfect competition in the production factor markets. Problem is in assumption of non-existent endogeneity between sales and assets which can be corrected using a different production function specification.

This cross-sectional data sample (Table 1) is analyzed and sales and sales per employee are estimated. The use of standard unpaired t-test would offer biased results because the data are not normally distributed. The two sample equality hypotheses were therefore tested by the non-parametric Wilcoxon rank-sum test [Wilcoxon 1945]. It is an unmatched data equality test of two independent variables: X_1 (for example the group of entrants) and X_2 (the firm's revenues).

The rank-sum test is reflected in the single Wilcoxon statistics, which tests the null hypothesis of equality on a sample of n observations. The probability of Type I error was chosen to be $\alpha=10\%$ ($p < 0.1$). The arithmetic mean difference between the observed groups is used as an approximation of dissimilarities under ceteris paribus condition (variable interactions were not allowed).

2 Results

Regression results suggest that there are differences between selected groups of Czech logistic firms (Table 2). The younger firms are more efficient and have higher

sales and labor productivity (sales per employee) than older firms. This productivity difference is approximately minus 4.1 % in comparison to a one-year younger firm. This is to some extent in line with economic theory and pressures of market mechanism, competition and theory of spillovers. There is possible overestimation bias. It is because in our sample there are only active firms, which are not facing bankruptcy or insolvency issues.

According to economic theories of endogenous growth, multinationals are bearers of technological progress especially in the developing markets. We can observe higher (plus 56.8 %, beta is 0.45*) productivity of foreign owned firms in comparison to base line local firms in the Czech Republic. But there is a high variability and heteroscedasticity in the results. Finally, the firms' orientation at quality (ISO certification) is not reflected in higher productivity or amount of sales in comparison to firms without certificates.

Table 2 Results of the production function in the logistics industry in the Czech Republic in 2014

	(1)	(2)
	Sales	Productivity
Number of employees (LN)	0.707*** (0.08)	-0.191*** (0.07)
Fixed assets (LN)	0.102** (0.05)	
Quality certificate (ISO 9001)	0.431 (0.29)	0.431 (0.29)
Firm's age (years)	-0.041*** (0.01)	-0.041*** (0.01)
Foreign ownership (>50%)	0.450* (0.23)	0.450* (0.23)
Fixed assets per employee (LN)		0.102** (0.05)
Constant term	14.178*** (0.70)	14.178*** (0.70)
Number of observations	100	100
Adjusted R ²	0.670	0.180
Ramsey RESET test	F=1.30	F=1.99

Note: Robust standard errors in parentheses, * p < 0.10, ** p < 0.05, *** p < 0.01

3 Discussion

This analysis has its limitations and a panel of logistic firms would be better at capturing within firm variation, which would describe the situation in longer period. In this paper, the robustness of results is tested using ANOVA and different dependent variable that is standard profit indicator earnings before taxes (EBT).

The results are not completely in line with current empirical research in the logistics industry [Park and Lee 2015, Min and Jong 2006]. The dilemma of quality, time and costs is amplified in the Czech Republic, which is an economy in the center of Europe and is one of the strategic countries for logistics industry. The quality orientation hypothesis is rejected. This strategy is not a strategy of higher productivity or profit. This strategy seems to be more long-term and socially responsible oriented. The EBT differences between national and multinational companies are substantial. National firms have on average 63.4 million CZK lower EBT than foreign owned firms. But we can observe higher variability inside foreign owned firms. This result suggests that there are certain characteristics of multinational firms that we are missing like market orientation or local competition.

Table 3 Earnings differences in the logistics industry in the Czech Republic in 2014

Group	Observations	Means
Without ISO	80	2.37e+07
ISO	20	1.27e+07
z=-2.654***	Difference	-1.10e+07
Group	Observations	means
National	72	3755889
Multinational	28	6.72e+07
z=-1.869*	Difference	-6.34e+07
Group	Observations	means
Older (7+)	72	2.26e+07
Entrants (1-6)	28	1.91e+07
z=1.539	Difference	3528764

Note: * p < 0.10, ** p < 0.05, *** p < 0.01

The analysis of differences suggests that entrant firms are not more efficient. The difference in EBT is relatively small. But we should perform more detailed technical input output efficiency analysis to account for possible cost structure of relatively younger firms.

Conclusion

This paper contributes to the theory of technological spillovers and endogenous growth. The results of logistics industry indicate that technological differences according to economic theory are to some extent present. But in this transitional economy we can observe the quality dilemma. The ISO 9001 quality certification is not beneficial for labor productivity and earnings. This result is contra intuitive and suggests high competitive pressures to lower costs. The demand in this economy is thanks to the location in the central Europe very high. The certification is suitable for this industry but is not demanded.

There are also some differences within the sample of multinational firms in terms of output efficiency (high variability and large estimation error) and they are on average more productive than local firms in the Czech Republic. Older firms are less productive than younger ones, but another analysis suggests that entrants are not more profitable than older firms. This suggests the ability to enter the market and survive with the ability to appropriate the gains from initial investment. In other words, startup costs are reducing earnings before taxes but the firm can take over a substantial market share. The logistics industry is a net of connected companies that is essential for technological transfer; multinational firms are leaders that influence the market and its technological level.

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RECENZIE/BOOK REVIEW**KRÁL, P. – MACHKOVÁ, H. – LHOTÁKOVÁ, M. – COOK, G. 2016.
International Marketing – Theory, Practices and New Trends.
Praha: Oeconomica Publishing House, 246 s.**Simona Škorvagová¹

Druhé vydanie publikácie *International Marketing – Theory, Practices and New Trends* prináša veľmi komplexný a moderný pohľad na súčasné aktuálne dianie v oblasti medzinárodného marketingu. Prezentuje tradičné prístupy k chápaniu medzinárodného marketingu, pričom ich výstižne prepája s aktuálnym daniím vo svetovom hospodárstve. Publikácia odráža rozsiahle a odborné znalosti svojich autorov, čím sa z nej stáva veľmi hodnotná a zrozumiteľná príručka pre podnikateľov, tiež vedeckovýskumných pracovníkov a vysokoškolských študentov. Teoretické východiská a hlavné princípy medzinárodného marketingu sú vďaka množstvu prípadových štúdií a praktických príkladov ľahko pochopiteľné a zjednodušujú tak celkové chápanie problematiky priblížením teórie podnikateľskej realite. V dvanástich kapitolách ponúka táto publikácia komplexný pohľad na medzinárodné trhy a ich vývoj v ostatných dekádach, ktorý významne ovplyvňuje a modifikuje rozhodnutia a stratégie uplatňované v medzinárodnom marketingu.

Prvá kapitola *Introduction to International Marketing* slúži ako užitočný úvod do podstaty medzinárodného marketingu a jeho koncepcií a zároveň uvádza základné teoretické východiská problematiky internacionalizácie podnikateľskej činnosti. Jedinečnosť kapitoly podčiarkuje vysvetlenie podstaty a vývoja teórií internacionalizácie doplnených o príklady a historický kontext, ktorý potvrdzuje ich platnosť aj v súčasnosti. Medzinárodný marketing nedoplní len o základné východiská, ale vyzdvihuje aj dôležitosť hodnotového prístupu k tvorbe konkurenčných výhod firiem. Samostatná pozornosť je venovaná medzinárodným podnikateľským stratégiám a ich úlohe pri vytváraní konkurenčnej pozície firmy na medzinárodných trhoch.

Na vymedzenie strategického prístupu k medzinárodnému marketingu nadväzuje kapitola *The International Marketing Environment*. Prostredníctvom aplikácie PEST analýzy rozoberá vplyv jednotlivých komponentov makroprostredia na rozhodnutia a tvorbu medzinárodnej marketingovej stratégie. Zameriava sa na všetky kritické oblasti súvisiace s analýzou makroprostredia zahraničnej krajiny. Veľmi zrozumiteľne vysvetľuje kombinovaný vplyv prvkov makroprostredia na medzinárodnú marketingovú stratégiu, pričom zdôrazňuje kľúčové indikátory objasňujúce charakter prostredia krajiny. Uskutočnenú analýzu doplní o ďalšie možné zdroje informácií a o príklady, ktoré poukazujú na vzájomnú podmienenosť rizík vyplývajúcich z medzinárodného podnikateľského prostredia.

V tretej kapitole *International Marketing Research* je uplatnený systematický prístup k marketingovému výskumu. Vzhľadom na to, že medzinárodný marketingový výskum je závislý od vývoja zahraničných trhov, musí byť uskutočnený tak, aby rešpektoval ich špecifiká. Pri realizácii marketingového výskumu čelia firmy viacerým obmedzeniam

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od náročnosti získavania údajov až po ich porovnateľnosť alebo možnosti ich interpretácie, ktoré komplikujú proces skúmania trhu. Kapitola sa zameriava na najpodstatnejšie špecifiká výskumu v podmienkach medzinárodného prostredia. Použité prípadové štúdie poukazujú na najvýznamnejšie a najčastejšie problémy medzinárodného marketingového výskumu a objasňujú konkrétne metódy jeho uskutočňovania.

Štvrtá kapitola *Strategic Planning and International Marketing Entry Strategy* sa sústreďuje na tvorbu medzinárodnej marketingovej stratégie v kontexte medzinárodného plánovania a výberu formy vstupu na zahraničné trhy. Vysvetľuje, ako možno využiť príležitosti, ktoré ponúka neustále sa meniace medzinárodné prostredie. Pre marketingových manažérov to znamená, že ak chcú plne využiť príležitosti zahraničných trhov, musia dokonale pochopiť zmysel strategického procesu plánovania. Preto sa kapitola venuje prehľadu najvýznamnejších analýz portfólia, ktoré umožňujú firmám identifikovať, ako efektívne alokovať svoje zdroje. Na záver dopĺňa analytickú fázu medzinárodného marketingu vysvetlením základných kategórií foriem vstupu na zahraničné trhy ako jedného z najkľúčovnejších rozhodnutí v medzinárodnom marketingu.

Atraktivnosť zahraničného trhu nie je jedinou podmienkou úspechu medzinárodnej podnikateľskej stratégie. Po rozhodnutí o výbere konkrétneho trhu musí firma zvážiť potenciál predajnosti svojej produkcie na trhu. Špecifiká nájdenia vhodného segmentu zákazníkov skúma piata kapitola *Segmentation and Targeting in International Markets*. Vysvetľuje význam a potrebu porozumenia cieľovému segmentu vrátane stratégií zacieleňovania, ktoré vedú k tvorbe pozície značky v mysliach spotrebiteľov. Problematiku positioningu objasňuje šiesta kapitola *International Positioning*. Poskytuje skutočne detailný a zrozumiteľný náčrt procesu positioningu na príklade konkrétnej firmy, čím približuje jeho jednotlivé kroky aj nezainteresovanému čitateľovi.

Politikou v oblasti značiek, ktorá môže významne ovplyvniť úspech firmy na zahraničnom trhu, sa zaoberá siedma kapitola *International Branding*. Poukazuje na príležitosti vyplývajúce z brandingu firiem. Zároveň skúma stanovenie hodnoty značky (brand equity) a jeho jednotlivé komponenty prostredníctvom ktorých sa dá merať hodnota značky. Stanovenie hodnoty značky je pre firmy mimoriadne dôležité, nakoľko značky so silnou brand equity si s väčšou pravdepodobnosťou udržia lojalitu zákazníkov a umožňujú produktu odlišiť sa od konkurenčných produktov. Rastúci význam medzinárodnej značkovej politiky podčiarkuje záver kapitoly, ktorý prináša prehľad najnovších trendov v tejto oblasti ovplyvnených postupujúcimi procesmi globalizácie a jej prejavmi vrátane ich dosahov na strategické riadenie značky.

Ôsma kapitola *Product in International Marketing* identifikuje obmedzenia a problémy, ktorým čelia firmy pri presune produktu z jednej krajiny do druhej. Pri vývoji a tvorbe produktu pre rozličné cieľové skupiny sa firmy musia v prvom rade rozhodnúť, či budú produkt alebo jeho dimenzie adaptovať špecifikám zahraničného trhu alebo môžu využiť výhody vyplývajúce zo štandardizácie. Kapitola rozoberá jednotlivé dôvody, kedy je nevyhnutné zvoliť adaptáciu produktu a zároveň uvádza ich príklady. Dokonca aj v prípade, ak nie sú medzi jednotlivými trhmi významné odlišnosti, môže dôjsť k adaptácii produktu, ak sa na týchto trhoch nachádza v inej fáze životného cyklu. Preto sa fázam životného cyklu produktu venuje v kapitole samostatná pozornosť.

Dokonca aj v prípade, že marketingoví manažéri uskutočnia všetky kroky internacionalizácie správne, nemusia na zahraničnom trhu uspieť, najmä ak nestanovia cenu produktu primerane cieľovému segmentu. Cena je jediným prvkom marketingového

mixu, ktorý generuje zisky. Cenotvorbe v medzinárodných podmienkach sa venuje deviatá kapitola *International Pricing*. Rozoberá faktory, ktoré majú priamy dosah na stanovenie ceny na jednotlivých trhoch. Bez dôkladných znalostí trhových nákladov a legislatívnych podmienok, poznania spotrebiteľských preferencií či charakteru konkurencie na trhu je takmer nemožné stanoviť správnu cenu pre daný trh. Proces tvorby cien je doplnený aj o vplyv dodacích a platobných podmienok na medzinárodnú cenotvorbu. Marketingový manažér musí brať do úvahy všetky tieto faktory nielen v rámci krajiny, v ktorej podniká, ale často aj v rámci každého cieľového segmentu v krajine. Preto si cenotvorba vyžaduje obozretný prístup, ktorý ale vychádza z cieľov firmy a jej celkovej stratégie.

Desiata kapitola *International Distribution* vysvetľuje proces distribúcie tovaru z domácej krajiny ku spotrebiteľovi v zahraničnej krajine. Opisuje vlastnosti najbežnejších druhov dopravy. Okrem toho posudzuje vplyv viacerých faktorov ako spotrebiteľské preferencie, kultúrne špecifiká, regulácia alebo štruktúra konkurencie na trhu na výber medzinárodnej distribučnej stratégie. Samostatne skúma dopady transformácie ekonomického systému v regióne strednej a východnej Európe na zmeny v oblasti distribúcie firiem. Podobne sa venuje zmenám a trendom zasahujúcim distribučné kanály a maloobchodné reťazce najmä v dôsledku internacionalizácie a koncentrácie. Poukazuje na silnejúcu pozíciu a rastúcu vyjednávaciu silu maloobchodu prevažne v rozvinutých trhoch ekonomikách a charakterizuje význam využívania privátnych značiek v súčasnosti.

Širší pohľad na komunikačné procesy v medzinárodnom prostredí poskytuje jedenásta kapitola *International Marketing Communication*. Charakterizuje kľúčové faktory medzinárodného prostredia ovplyvňujúce tvorbu správy aj výber komunikačného kanálu a média pri zostavovaní medzinárodného komunikačného projektu. Rozdielnosti medzi trhmi si vyžadujú nevyhnutné prispôsobenia komunikačnej stratégie firiem a celkovo komunikačný mix v značnej miere podlieha vývoju globálneho podnikateľského prostredia. Pozornosť je zameraná aj na formuláciu marketingového komunikačného plánu, pričom identifikuje jeho jednotlivé kroky potrebné na dosiahnutie efektívnej propagácie firmy/produktu na zahraničnom trhu.

Publikácia je oproti prvému vydaniu doplnená o kapitolu dvanásť *Ethics, Social Responsibility and International Marketing*, ktorá sa zaoberá v súčasnosti mimoriadne diskutovanou problematikou etiky a zodpovednosti v marketingu. Morálne hodnoty a etické princípy sú mimoriadne prepojené s kultúrou krajiny, preto nie je možné definovať medzinárodný rozmer etiky, ktorý by platil pre väčšinu krajín. Z tohto pohľadu je ťažké stanoviť etické pravidlá pre medzinárodný marketing. V kapitole sa skúmajú etické dilemy a výzvy, ktoré súvisia s jednotlivými prvkami marketingového mixu. Veľmi zrozumiteľne a prehľadne poukazuje na kritické oblasti, ale aj príležitosti, ktoré prináša rastúci význam etiky a zodpovednosti pre podnikanie. Zároveň upozorňuje na rastúci význam spoločenskej zodpovednosti firiem, ktorej implementácii v rámci celkovej stratégie sa v dôsledku nárastu neistoty a straty dôvery v medzinárodné podnikateľské prostredie venuje čoraz viac firiem. Tiež poukazuje na dôležitosť environmentálnej zodpovednosti podnikania ako reakcie na zhoršujúci sa stav životného prostredia planéty.

Druhé vydanie publikácie *International Marketing – Theory, Practises and New Trends* odzrkadľuje realitu podnikania v 21. storočí. Autori vniesli do obsahu publikácie dynamiku a modernosť. Jej obsah stimuluje u čitateľa zvedavosť, no zároveň zvyšuje jeho povedomie o význame medzinárodného marketingu v súčasnosti a o jeho úlohe pri

vytváraní úspešných podnikateľských stratégií. Za ostatné dekády prešlo medzinárodné hospodárske prostredie dramatickými zmenami a aj pre firmy pôsobiace len na domácom trhu je už nemožné ignorovať medzinárodnú konkurenciu. Preto možno využiť publikáciu ako jedinečný manuál pre akýkoľvek typ podnikania, pretože reaguje na aktuálne dianie a vysvetľuje prístupy a koncepcie medzinárodného marketingu, ktoré sú relevantné pre všetkých marketingových manažérov. Mapuje najnovšie trendy a strategické problémy, ktorým čelia firmy zapojené do medzinárodných podnikateľských aktivít. Z hľadiska vzdelávania je publikácia zostavená tak, aby korešpondovala s potrebami študentov aj pedagógov. Je doplnená množstvom príkladov a prípadových štúdií, ktoré pomáhajú aplikovať teoretické východiská na praktické problémy podnikania. Prípadové štúdie sú zostavené spôsobom, ktorý podnecuje diskusiu alebo vyvoláva otázky, ktoré majú potenciál prispieť k lepšiemu porozumeniu problematiky v rámci edukačného procesu. Celkovo možno uvedenú publikáciu odporúčať ako hodnotný zdroj aktuálnych informácií pre všetkých, ktorí sú akýmkoľvek spôsobom zainteresovaní v oblasti medzinárodného marketingu.

JAROSSOVÁ, M. A. 2016. *Stav a perspektívy rozvoja trhu biopotravín, tradičných a regionálnych potravín v Európskej únii a na Slovensku*. Bratislava: Vydavateľstvo Ekonóm. 208 s.

Alica Lacková¹

Produkcia a spotreba potravín má veľký význam pre spoločnosť, dôkazom čoho sú hospodárske, zdravotné a v mnohých prípadoch aj environmentálne dôsledky. Všetky tieto problémy je možné brať do úvahy pri vývoji potravinovej politiky s dôrazom na ochranu zdravia. Práve preto je strategickou úlohou potravinárskeho priemyslu zabezpečiť stabilizovaný trh potravín a udržať potravinovú bezpečnosť štátu produkciou domácich zdrojov výživy. Jedným z možných východísk je vytváranie trhu s biopotravínami, tradičnými a regionálnymi potravinami, čo významne vplýva na tvorbu nových pracovných miest a rozvoj vidieka. Vplyvom neustále rastúceho fenoménu presadzovania zdravého životného štýlu, kedy chcú ľudia zdravo žiť, zdravo sa stravovať a športovať možno predpokladať, že trh s uvedenými potravinami na Slovensku bude neustále rásť a rozvíjať sa. V súčasnosti však chýba stratégia podpory predaja biopotravín, tradičných a regionálnych potravín v rámci Politiky kvality EÚ ako aj značiek regionálnych produktov zastrešovaných miestnymi akčnými skupinami a ich spojenie s cestovným ruchom.

Z tohto pohľadu je vedecká monografia „Stav a perspektívy rozvoja trhu biopotravín, tradičných a regionálnych potravín v Európskej únii a na Slovensku“, Dr. Ing. Malgorzaty A. Jarossovej veľmi aktuálna a poskytuje súbor poznatkov a návrhov odporúčaní na zlepšenie stavu súčasnej situácie v oblasti skúmaného sortimentu potravín. Publikácia vznikla s podporou grantu VEGA č. 1/0635/14, ktorý sa zameriava na zhodnotenie trhu biopotravín, tradičných a regionálnych potravín v Európskej únii a na Slovensku, charakterizuje druhy aktivít určených na ich propagáciu a podporu predaja, identifikuje faktory ovplyvňujúce dopyt a predaj slovenských biopotravín, tradičných a regionálnych potravín. Tieto a ďalšie informácie publikované vo vedeckej monografii predstavujú efektívnu pomoc pri uvádzaní uvedených výrobkov na trh.

Štruktúra monografie je vhodne zvolená, pozostáva zo šiestich kapitol, v ktorých autorka postupne rozoberá jednotlivé témy riešenej problematiky. Vhodne začína vysvetlením vybraných aspektov spoločnej poľnohospodárskej politiky, programu rozvoja vidieka na roky 2014-2020 a koncepcii rozvoja slovenského potravinárskeho priemyslu.

Zaoberá sa tiež správaním spotrebiteľov na jednotnom európskom trhu, propagáciou a podporou predaja biopotravín, tradičných a regionálnych potravín v EÚ a na Slovensku. Ďalej autorka detailne popisuje ekologické poľnohospodárstvo a trh s biopotravínami, včítane legislatívy, označovania biopotravín a kontroly ekologických prevádzkovateľov štátnymi alebo súkromnými inšpekčnými organizáciami.

Ako vyplýva z názvu monografie autorka v publikácii tiež charakterizuje tradičné a regionálne potraviny v rámci Politiky kvality EÚ. Značnú časť venuje základným po-

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jmom, legislatíve v tejto oblasti, štatistike týkajúcej sa registrovaných výrobkov s európskymi označeniami „Chránené označenie pôvodu“ (CHOP), „Chránené zemepisné označenie“ (CHZO) a „Zaručená tradičná špecialita“ (ZTŠ) v EÚ a v krajinách Vyšehradskej štvorky.

Ťažiskovú časť vedeckej monografie predstavujú výsledky troch výskumov, z ktorých jeden bol zameraný na identifikáciu problémov výrobcov súvisiacich s registráciou tradičných a regionálnych výrobkov v systéme Politiky kvality EÚ a ďalšie dva na zistenie postojov a správania sa spotrebiteľov na trhu biopotravín, tradičných a regionálnych potravín. Aj napriek tomu, že z výsledkov výskumu vyplynulo, že dopyt po biopotravinách, tradičných a regionálnych potravinách zo strany spotrebiteľov neustále rastie, autorka na základe uskutočnenej analýzy zistila, že výrobcovia musia čeliť mnohým bariéram, medzi ktoré možno zaradiť najmä nepriaznivý vývoj cien vstupných surovín, rastúcu konkurenciu zo strany zahraničných firiem, časté legislatívne zmeny, nedostatok a nekvalitu domácich surovín a v neposlednom rade zlú kooperáciu s maloobchodnými reťazcami.

Autorka tiež poukázala na nevyhnutnosť intenzívnejšej propagácie slovenských biopotravín, tradičných a regionálnych potravín zo strany výrobcov a zvýšenie ich atraktivity spojené s ponukou širokej škály služieb v oblasti cestovného ruchu napríklad ponúkaním turistických trás spojených s históriou, výrobou a degustáciou tradičných a regionálnych produktov. Z tohto pohľadu autorka považuje za potrebné, aby sa Slovensko stalo členom európskej siete „Culinary Heritage“ zameranej na propagáciu tradičných a regionálnych potravín a gastronomických špecialít danej krajiny.

Na záver možno konštatovať, že monografia svojim zameraním prináša ucelený pohľad na problematiku biopotravín, tradičných a regionálnych potravín na Slovensku a v zahraničí. Je využiteľná pre ďalšie vedecké bádanie v danej oblasti, ale môže poslúžiť aj širšej odbornej verejnosti a podnikateľským subjektom k lepšiemu oboznámeniu sa s predmetnou problematikou a tiež pri koncipovaní strategických rozhodnutí. Vedecká monografia je spracovaná na vysokej odbornej úrovni, čo svedčí o erudovanosti autorky a jej ambíciách poskytnúť pokiaľ možno čo najkomplexnejší súbor poznatkov a skúsenosti z danej oblasti.

