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CORROSION AND RESISTANCE IN THE TRADE UNION MOVEMENT: THE CASE OF BAHIA STATE UNIVERSITIES

CORROSÃO E RESISTÊNCIA NO MOVIMENTO SINDICAL: O CASO UNIVERSIDADES ESTADUAIS BAIANAS

CORROSIÓN Y RESISTENCIA EN EL MOVIMIENTO SINDICAL: EL CASO DE LAS UNIVERSIDADES ESTATALES DE BAHÍA

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ABSTRACT: This article discusses the position taken by the labor movement in the face of conflicts between the state and the working class. To this end, it addresses the current configuration of the labor movement, which, although demonstrating some resistance to the onslaught of capital, predominantly embraces a moderate organizational practice, which implies the maintenance of the established order. From a methodological perspective, it conducts bibliographical and documentary research to demonstrate how the labor movement has acted in the face of capital's onslaught against the working class. To this end, it analyzes the trajectory of the unions at Bahia's state universities as an example of this movement. The conclusions indicate that it is essential for society to monitor and participate more actively in decisions, which, currently, have been driven primarily by those interested in increasing capitalist profits, a perspective that removes the state's obligation to ensure constitutionally guaranteed social rights.

KEYWORDS: Capitalism. Working class. Labor movement. University.

RESUMO: Discute-se a posição assumida pelo movimento sindical frente aos embates que envolvem o Estado e a classe trabalhadora. Para tanto, aborda-se a atual configuração do movimento sindical, que, embora demonstre certa resistência às investidas do capital, assume como característica preponderante uma prática moderada de organização, implicando a manutenção da ordem estabelecida. Do ponto de vista metodológico, realiza-se uma pesquisa bibliográfica e documental para demonstrar como o movimento sindical tem atuado frente às investidas do capital contra a classe trabalhadora. Para tanto, analisa-se a trajetória dos sindicatos das universidades estaduais baianas como forma de exemplificar esse movimento. As conclusões apontam que é indispensável que a sociedade acompanhe e participe mais ativamente das decisões, que, atualmente, têm sido conduzidas majoritariamente pelos interessados na ampliação dos lucros capitalistas, perspectiva que retira do Estado a obrigatoriedade de assegurar direitos sociais garantidos constitucionalmente.

PALAVRAS-CHAVE: Capitalismo. Classe trabalhadora. Movimento sindical. Universidade.

RESUMEN: Este artículo analiza la postura del movimiento obrero ante los conflictos entre el Estado y la clase trabajadora. Para ello, aborda la configuración actual del movimiento obrero, que, si bien muestra cierta resistencia a la embestida del capital, adopta predominantemente una práctica organizativa moderada, lo que implica el mantenimiento del orden establecido. Desde una perspectiva metodológica, se realiza una investigación bibliográfica y documental para demostrar cómo ha actuado el movimiento obrero ante la embestida del capital contra la clase trabajadora. Para ello, analiza la trayectoria de los sindicatos en las universidades estatales de Bahía como ejemplo de este movimiento. Las conclusiones indican que es esencial que la sociedad supervise y participe más activamente en las decisiones, que, actualmente, han sido impulsadas principalmente por quienes buscan aumentar las ganancias capitalistas, una perspectiva que elimina la obligación del Estado de garantizar los derechos sociales constitucionalmente garantizados.

PALABRAS CLAVE: Capitalismo. Clase trabajadora. Movimiento obrero. Universidad.

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INTRODUCTION

This article is dedicated to a brief discussion on the labor union movement, which constitutes an instrument of utmost relevance for fostering resistance and serving as an organizing force of the working class against capital's incursions into labor. At its core, unions emerged from the efforts of the working class to combat the brutal exploitation of laborers, who were consistently subjected to a form of capitalist control that expropriates labor surplus and ultimately promotes precarization.

The aim is to highlight the importance of social movements in the struggle for the recognition and valorization of workers, as well as the significance of these collectives in shaping their stance *vis-à-vis* conflicts involving the State and the working class. Moreover, the following discussion addresses the confrontation of these adversities while drawing attention to the current configuration of the labor movement, which, although demonstrating some resistance to capital's incursions, predominantly adopts a moderate organizational approach, implying the maintenance of the established order and, ultimately, consensus between workers and capital representatives.

To address this theme, we draw on Gramsci (1971), who observed that the ruling classes require not only the coercive and economic powers of the State to maintain their domination but, more importantly, its "hegemony," understood here as ideological domination, which encourages the subjugated to peacefully accept "the beliefs of the ruling class and share its social, cultural, and moral values" (Carnoy, 2013, p. 116).

From a methodological standpoint, this study is bibliographic and documental in nature, aiming to demonstrate how capital, through structural adjustments, has promoted the weakening of the labor movement while simultaneously establishing a logic of consensus with such organizations. For this purpose, we reference authors who address this topic, including Antunes (2009) and Antunes and Silva (2015), as well as legal documents such as Law No. 5,452/1943, which consolidates the Labor Laws (LL), and Constitutional Amendment (EC) No. 95/2016. As a result of these changes, struggles in favor of the working class are increasingly limited to the maintenance of the *status quo*, rather than expanding the rights necessary to ensure working conditions compatible with the quality of life constitutionally guaranteed to all.

At the conclusion of this text, an analysis is presented of recent actions by capital that have led to the curtailment of workers' rights, a situation that demands even greater efforts from the labor movement to mitigate the destructive potential of these structural adjustments.

Labor movement in Brazil: a brief history

The history of labor movements, particularly in Brazil, has always been shaped by the dynamics of prevailing political regimes as well as by capital's imperative to maintain

continuous expansion. Despite its totalizing logic, capitalist enterprise loses strength without support from the democratic principle, even when this functions merely as an illusory justification (Mészáros, 2011).

Governments such as that of Getúlio Vargas, despite their authoritarian tendencies, under the guise of promoting industrialization and economic development, were signatories of the LL in 1943. While the LL guaranteed workers' rights, it also subjected union control to the State and established a form of welfare-oriented unionism. This period was characterized by State-controlled union representation, whereby the government conditioned "the guarantee of labor rights and benefits on union membership" (Souza, 2002, p. 130). This mechanism became a means of controlling both the workers and their representatives.

In 1955, through a coalition between the Brazilian Labor Party, with roots in Vargas-era politics, and the Social Democratic Party, Juscelino Kubitschek (JK) won the presidential elections, alongside Vice President João Goulart. Goulart later assumed the presidency after JK's term, and, due to his opposition to conservative and military interests stemming from his association with a pro-communist stance, he was removed via a military coup in 1964.

Within the context of intense ideological polarization driven by the Cold War, the military dictatorship positioned itself as an alternative to communism. This period was marked by severe democratic setbacks, including the persecution of communist sympathizers, which extended to union leaders. Moreover, numerous Institutional Acts were enacted during the dictatorship, including Act No. 5, which dissolved Congress. According to Souza (2002), although the 1964 coup led to the disarticulation of movements such as the General Workers' Command—created in the 1960s—the 1970s represented a period of advocacy for the independence of labor organizations, during which there was a significant increase in the registration of new unions.

After more than two decades of dictatorial rule (1964–1985), a gradual and slow process of democratic opening began, marked by the end of the two-party system and the possibility of amnesty for political exiles. It was only in 1985 that an indirect election occurred, resulting in Tancredo Neves being elected President of the Republic. However, Tancredo did not assume office due to his death on the eve of his inauguration. Consequently, his vice president, José Sarney, was appointed to the position, and after 21 years of dictatorship, the democratic regime was reinstated.

The promulgation of the 1988 Federal Constitution ensured several advancements, including the end of the requirement for approval from the Ministry of Labor for the creation of unions, as well as the recognition of the right to strike and the authority to negotiate collective labor agreements. Consequently, the labor movement underwent a significant transformation, which can be considered the beginning of union autonomy, a process referred to by Antunes and Silva (2015) as the "new Brazilian unionism."

The 1980s were marked by the guarantee of union independence, conferring substantial importance to the defense of improved working conditions, the legitimization and protection of rights, and the safeguarding of collective interests. In the specific case of Brazil, highly representative mobilizations occurred through general strikes organized by industrial workers, rural wage laborers, and other sectors.

Mészáros (2011) identifies a shift in perspective during the final quarter of the 19th century, as capitalism began to undergo transformations resulting from the development of the global commodity market. Consequently, it became evident that capital required new approaches, as it started facing threats related to its structural limits. In this context, the processes of financialization and globalization of capital exerted a strong influence on labor movements.

The homogenizing character produced by the structural adjustments of capitalism was necessary for maintaining the socio-metabolic order, as this condition neutralizes the contradictions generated in the development of capital. In Brazil, these adjustments gained momentum during the dictatorial period and, from the 1990s onward, began to reflect a perspective more closely aligned with neoliberalism and the flexible accumulation model. Antunes (2009) emphasizes:

while in the 1980s Brazilian unionism largely moved against the critical trends present in the labor movements of advanced capitalist countries, by the end of that decade, economic, political, and ideological tendencies were emerging that, in the 1990s, led to the integration of Brazilian unionism into a regressive wave. (p. 235)

Proposals for state deregulation in Brazil were propelled by the rise of liberal-conservative elites, represented by governments such as those of Fernando Collor and, more intensely, Fernando Henrique Cardoso, who promoted the “dismantling of the limited labor rights built over several decades of struggle and action by workers” (Antunes, 2009, p. 35–36). To this end, administrative reforms were implemented with a strong managerialist orientation. Within the labor movement, a distancing from socialist conceptions aimed at overcoming capitalism was observed, reflecting a process of resignation to the established order.

The trajectory of unions in Bahia's state universities¹

Initially, the labor movement of employees in the state universities of Bahia was led by the Association of UNEB Employees (ASFUNEB), whose role, according to the Union of Higher Education Workers of the State of Bahia (SINTEST/BA, 2020), was to defend the rights and

¹ No bibliographic or documentary material was found that specifically addressed the history of the formation of unions at state universities in Bahia. As a result, we resorted to the information available on the unions' websites.

interests of this category of workers. However, due to changes in legislation resulting from the affirmation of the right to unionize, it became necessary to dissolve this entity in order to redefine its structure.

Following the dissolution of ASFUNEB, the Union of Higher Education Workers (SINTEST/BA) was established in March 1990 through the organization's 1st state congress. According to the bulletin *A Voz do Técnico* (September 2020), at the time of this transition, the membership comprised employees from various universities—including the Bahia Center for Technological Education, Catholic University of Salvador, Federal University of Bahia, State University of Southwestern Bahia (UESB), State University of Santa Cruz (UESC), Federal Institute of Education, Science, and Technology of Bahia, State University of Bahia (UNEB), and State University of Feira de Santana (UEFS)—covering multiple municipalities across the state of Bahia. Consequently, in 1990, a new organizational structure emerged, bringing together representations from each of the four Bahian state universities.

In the same year, the Permanent Commission of Administrative-Technical Staff was established through Law No. 5,835/1990, with the purpose of monitoring and providing advisory support for personnel policies related to administrative-technical staff. This commission functions deliberatively in matters involving policy formulation, assessment, and monitoring of processes such as transfers, career progression and promotion, dismissals, leaves/absences, and hazard pay. Additionally, it participates in the evaluation of the Institutional Development Plan, training and capacity-building programs, regulations pertaining to public examinations and selection processes, engagement in Superior Councils, and assessment of working conditions.

The years following the reorganization of SINTEST were marked by intensified discussions aligned with the agendas of the National Federation of Administrative-Technical Staff Unions, primarily due to the need to create a career plan for the category. These agendas prompted mobilizations and occupied a prominent place in the organization's plenaries.

According to the website of the Union of Administrative-Technical Staff of UESB (AFUS), initiatives by the Pro/AFUS Commission led to the establishment of AFUS/AFUSC-Sindicato in 1997, which began representing UESB and UESC. Subsequently, in 2001, a split occurred, resulting in the foundation of AFUSC to represent UESC, while AFUS continued to represent UESB.

Currently, the unions of Bahia's state universities are SINTEST/UNEB, SINTEST/UEFS, AFUS/UESB, and AFUSC/UESC. All of them are part of the Forum of Administrative-Technical Staff of Bahia's State Universities, created in 2017 to promote the sharing of information and establish dialogue among all four representations in response to the category's demands.

The Forum of Technical Staff, therefore, functions as an advisory rather than a deliberative body, legitimately representing the interests of the category. Discussions held within the forum are forwarded to each of the respective bases. According to the forum's regulations, its

coordination has a one-year term on a rotational basis among the unions and is responsible for organizing meetings, preparing reports, and disseminating them to all representations.

The unions have consistently acted against the erosion of labor rights, as evidenced by mobilizations and demands made to the state government to ensure compliance with legislation regarding career promotion and progression. Additionally, the unions have repeatedly advocated for authorization to open public examinations to replenish university staff positions.

Union action was decisive in the approval of Law No. 14,098/2020, which aimed to regularize a situation of constitutional noncompliance by the state government, where employees were receiving salaries below the minimum wage. In the context of remote work due to the COVID-19 pandemic, the unions' efforts focused on debates regarding the regulation of this modality while the restrictions remained in effect.

The waning of labor struggle against the established order

The flexible accumulation model, promoted by reforms driven by capitalism, fosters the deregulation of labor rights, fragmentation of the working class, precarization of labor, expansion of outsourcing, as well as the transformation of unions into a moderate form of organization, since capitalist society increasingly requires less stable labor and more diverse forms of part-time and outsourced work (Antunes, 2009, p. 119). This logic promotes the fragmentation of the working class, which becomes unable to mobilize or organize effectively to overcome the hegemony of capital.

According to Olsson and Renk (2018), the process of globalization stimulated transnational practices that produced political, cultural, and legislative impacts, represented by

the relationship between capital and labor, interacting directly with political and union organizations, manipulating them, disseminating the idea that domestic activity lacks the capacity to compete, and that the only way to survive is to conform to the global economy. In sum, this new configuration imposed an adjustment on organizations to models that met the demands of the global market, resulting in the deregulation of labor rights and the disintegration of the working class. (p. 2149)

In light of these economic, social, and political transformations, unions also underwent substantial changes, both in their ideological conceptions and in their practices. According to Antunes and Silva (2015), in this new configuration, "their confrontational practices were gradually replaced by a predominantly negotiation-oriented union pragmatics, where confrontation gave way to partnerships, negotiations, and encouragement of union pacts, etc." (p. 511). Thus, in many instances, unions came to—and continue to—function

as structures that facilitate capitalist reproduction, operating within a political framework centered on negotiation.

Due to the expansion of outsourcing, privatization of state-owned enterprises, and the financialization of the economy, accelerated by the election of Collor de Mello, unions were significantly affected; negotiations emerged as the primary strategy in response to the fragmentation of the working class. Antunes and Silva (2015) note:

the outcome of this mutation has consolidated a union practice among us that, beyond fetishizing negotiation, transforms leaders into new managers who find in the union structure mechanisms and spaces for realization. (p. 511–512)

The competitive environment, instigated by a managerial perspective, fosters extreme individualism, contributing to low worker participation in the collective dynamics necessary for class-based union organization. Consequently, labor movements have focused more on blocking measures that undermine workers' rights—through dialogue with the government—than on imposing an agenda aimed at changing economic policy and dismantling this structure of exploitation. In other words, the pursuit of yet-unachieved rights, such as reduced working hours, wages commensurate with the work performed, and greater representation in legislative agendas, remains limited.

In this context, the union came to assume the role of intermediary between institutionalized power and the proletariat, as it occasionally functions as a regulator of conflicts. This stance is sometimes evidenced by the union's alignment with political parties, which transforms its agendas into a form of selective, or even passive, radicalism.

The dynamism and adaptability that characterize capitalism are increasingly evident today, for despite the persistent crises faced by capital, its hegemony remains intact. Mészáros (2011) asserts that capital transcends the individual through a mechanism of surplus labor extraction that contrasts with practices of slavery or servitude, as it does not rely on coercive domination but rather compensates the individual who sells their labor power through wages. This feature renders the system acceptable, as it provides the possibility of reconciling these antagonisms.

Capital suppresses the rights of the working class and frames labor as inherently antagonistic to capital. According to Santos (2016), in 21st-century Brazil, various political and economic transformations enabled the rise of new groups in power, such as the administration led by the Workers' Party. However, the author notes that despite this prerogative, class struggle was pacified, as the implementation of certain social policies generated a sense of social well-being that mitigated conflict.

Through this strategy, “the climate of consent necessary for perpetuating the new liberal-social sociability is maintained, all within the established order” (Santos, 2016, p. 29). Although the majority of labor movements ideologically position themselves as progressive, they often negotiate with capital to establish conciliation and cross-class alliances. Consequently, the neoliberal offensive against the Welfare State has worked intensively to suppress progressive forces and steer the debate toward market development and the preservation of a status quo that maintains the elite in a hegemonic position while subordinating the working class to a totalizing mechanism of sociometabolic control, which operates through inequality.

It becomes evident that the maintenance of social disparities and the fragmentation of social classes are necessary mechanisms for the expansion and accumulation of capital. Thus, the irreconcilable relationship between labor and capital persists, as the sociometabolic mode of control does not permit the sharing of power (Mészáros, 2011). Labor can only gain meaningful control if it succeeds in exerting influence over the political sphere. Accordingly, only a unified movement of resistance capable of contesting the hegemonic power of capital can promote the overcoming of social antagonisms.

There is an increasing dissemination of the discourse portraying social movements as promoters of civil disorder—at times, these movements are even labeled as terrorist organizations. In this context, the neoliberal project delivered another blow through the 2017 labor reform, Law No. 13,467 (Brasil, 2017), which, by removing rights—including incentives for outsourcing, intermittent work, flexible working hours, time banks, and rest intervals—ultimately weakened class-based organization and hindered the consolidation and alignment of these movements.

The order established by the capital propagates social meanings that legitimize the discourse on the necessity of reforms to balance the State. Today, this discourse has contributed to the erosion of workers’ rights while promoting the belief that stable employment, regardless of role or institution, constitutes a form of privilege. This environment fosters a context favorable to reforms and practically compels the labor movement to adopt consensus as a mechanism for advocating policies, given the lack of a collective societal appeal to demand the enforcement of rights guaranteed by the Constitution.

Capital’s initiatives: the dismantling of public services through EC No. 95/2016, Law No. 13,467/2017, EC No. 26/2020, and PEC No. 32/2020

In the preceding sections, we discussed the actions undertaken by unions and the Forum of Administrative-Technical Staff to mitigate the effects of attacks directed against the

working class². In this section, we aim to present the most significant recent adjustments that have directly impacted workers, thereby corroborating our argument, developed throughout this text, regarding the process of capital's productive restructuring and the reduction of the State, whose effects are particularly evident in policies concerning the valorization of workers, including those in education.

In this regard, we highlight: EC No. 95/2016, which established the New Fiscal Regime (NFR), also referred to as the Spending Cap; Law No. 13,467/2017 (Brasil, 2017), which amends the LL; EC No. 26/2020 of the State of Bahia, which modifies rules regarding the State's Own Social Security Regime for Civil Public Servants; and, finally, Proposed EC No. 32/2020, which seeks to amend provisions concerning public servants, public employees, and administrative organization.

The 1988 Federal Constitution, in Article 205, defines education as a right of all and a duty of the State and family, to be pursued and encouraged with societal support, aiming to promote the full development of the individual, prepare citizens for the exercise of citizenship, and provide qualifications for labor. Furthermore, Article 206 establishes guiding principles for fulfilling this mandate, including the valorization of teaching professionals and ensuring a quality standard of education for the entire population. Although progress has been observed over time in the guarantee of these rights, challenges remain in terms of professional valorization, directly affecting educational quality and preventing these professionals from fully enjoying constitutionally guaranteed rights³.

As demonstrated in this study, from the 1990s onward, there was an increasingly intense incorporation of guidelines aligned with neoliberalism, driven by adjustments deemed necessary by the ideology of the bourgeois class. This trend intensified to such an extent that, despite the guarantees enshrined in the 1988 Constitution for the working class, over the years, it has suffered from reforms that have, ultimately, almost completely transformed the Constitution due to the excessive number of provisions aimed at amending the Magna Carta. Below, we highlight those measures considered most significant at the national and state levels, which in recent years have affected, in various ways, policies aimed at valuing education workers.

The Proposed Constitutional Amendment (PEC) 241, or EC No. 95/2016, nicknamed the "End of the World PEC," submitted to Congress during the Temer administration (2016–2018), proposed the implementation of a NFR, an instrument designed to establish limits on primary

² No specific criterion was established for selecting the legal provisions addressed in this section. The intention was simply to highlight those pieces of legislation that represent the most austere measures, capable of producing significant effects on policies for valuing education workers in recent years.

³ Although our discussion has taken into account a broad process of reforms in both Brazil and the state of Bahia, we have chosen to focus exclusively on the most recent reforms, which have resulted in a substantial withdrawal of workers' rights. This decision was made in order to demonstrate how current governments have either continued or even intensified this process.

expenditures⁴—that is, to freeze government spending for twenty years at the inflation-adjusted level. In real terms, this means that expenditures in 2036 will be tied to those of 2016, adjusted solely for inflation. Consequently, no investment in social areas may exceed the inflation adjustment during these twenty years. According to Paiva et al. (2016):

the premise underpinning the Explanatory Memorandum is that the root of the government's fiscal problem lies in the growth of primary public expenditure, which has led to an increase in the federal public debt. It is therefore necessary to stabilize it to contain the advancement of this debt. To address this, the goal is to contain public spending: from 2017 onward, the Union's primary expenditure will be limited to the spending carried out in 2016, with this ceiling adjusted annually by the variation of the Broad Consumer Price Index (IPCA) until 2036. (p. 6)

In practice, this means that public expenditures will not keep pace with population growth, which is projected to increase. According to the Brazilian Institute of Geography and Statistics, the population is expected to grow by approximately 12% by 2036. Therefore, resources allocated to areas such as health and education will remain stable, ensuring only the continuation of current social policies without expanding services to new users. According to Technical Note No. 27, published by the Institute for Applied Economic Research (IPEA) in 2016 on the NFR and its implications for social assistance policy in Brazil:

in terms of GDP proportion, adopting the new rule would, over twenty years, reduce the share of spending on social assistance policies to levels lower than those observed in 2006 (0.89%), dropping from 1.26% in 2015 to 0.70% in 2036. (IPEA, 2016 cited in Paiva et al., 2016, p. 4)

This austerity policy, based on the NFR, adopted under the Temer administration and further intensified under Bolsonaro, has assumed a perverse character with the addition of other legal instruments for spending containment in education, a situation that persists under the current Lula administration. This measure already imposes, and may ultimately lead to, a discontinuity of social policies guaranteed by the Constitution. In addition to

⁴ These reforms correspond to expenditures related to the provision of public services to society, such as personnel expenses, operating costs, and investments in health and education.

expenditure limitations, the legislation imposes sanctions on bodies that fail to comply with the decree, as follows:

Art. 109. In cases of noncompliance with individualized limits, the following restrictions shall apply, until the end of the fiscal year in which expenditures return to their respective limits, to the Executive Branch or to the bodies listed in items II to V of the head provision of Article 107 of this Act of Transitional Constitutional Provisions that failed to comply with such limits, without prejudice to other measures:

I – the granting, under any title, of advantages, increases, adjustments, or modifications in remuneration for members of a Branch of Government or an agency, as well as for public servants, employees, and military personnel, except when resulting from a final judicial ruling or from a legal determination based on acts predating the entry into force of this Constitutional Amendment;

II – the creation of positions, jobs, or functions that entail an increase in expenditures;

III – the modification of career structures that entail an increase in expenditures;

IV – the admission or hiring of personnel, under any title, except for the replacement of managerial and leadership positions that do not entail increased expenditures, as well as replacements arising from vacancies in permanent or lifetime positions;

V – the holding of public competitive examinations, except for the replacements of vacancies as provided for in item IV;

VI – the creation or expansion of allowances, advantages, bonuses, grants, representation fees, or benefits of any nature in favor of members of a Branch of Government, the Public Prosecutor's Office, the Public Defender's Office, or public servants, employees, and military personnel;

VII – the creation of mandatory expenditures; and

VIII – the adoption of measures that imply the adjustment of mandatory expenditures above the rate of inflation, subject to the preservation of purchasing power referred to in item IV of the head provision of Article 7 of the Federal Constitution. (Brasil, 2016)

This implies that, for twenty years, the size of the federal budget will be determined by the expenditure levels of 2016 rather than by projected revenues for the fiscal year in which the budget law is enacted. Consequently, increases in revenue may not be allocated to the improvement of public policies. In practice, the granting of rights is restricted even in the absence of limit violations; therefore, it will be necessary to devise strategies for education to move toward development, a condition intrinsically tied to the greater appreciation of education workers.

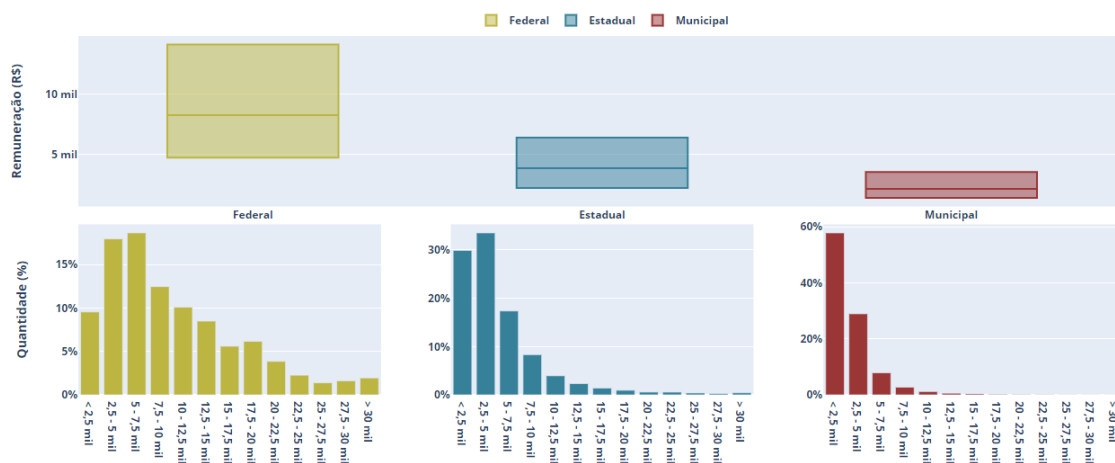
Another measure that curtailed rights and intensified the agenda of prioritizing the demands of capital was labor reform. Following debates that reflected more partisan political

interests than broad societal dialogue, the Temer administration approved the reform in July 2017 through Law No. 13,467/2017 (Brasil, 2017), which came into effect in November of the same year. Although the labor reform did not directly affect statutory public servants—such as permanent employees at Bahian universities—it introduced significant changes to the Consolidation of LL and, consequently, to the employment arrangements of other groups of workers, particularly outsourced employees, who also carry out activities within universities.

Among these changes are modifications to working hours, compensatory time-off arrangements, overtime payments, and wages. Additionally, new modalities were introduced, such as remote work (telework) and intermittent work, which allow for sporadic hiring based on demand. This discrepancy between the rights guaranteed to workers under the LL and those of statutory public servants has generated tensions, as the public has increasingly perceived—albeit erroneously—that public servants enjoy protections not afforded to LL workers.

This perception has fueled discourses advocating for reforms aimed at reducing what major employers of labor describe as the “privileges” of public servants. The reality of public servants, however, demonstrates that the notion of privilege is misleading, as evidenced by data currently published by IPEA through the *Atlas of the Brazilian State*. There is considerable inequality in remuneration among the three branches of government, with the Judiciary offering average salaries up to five times higher than those of the Executive. This disparity is illustrated in Figure 1 below:

Figure 1. Distribution of remuneration across federal levels (2019)⁵



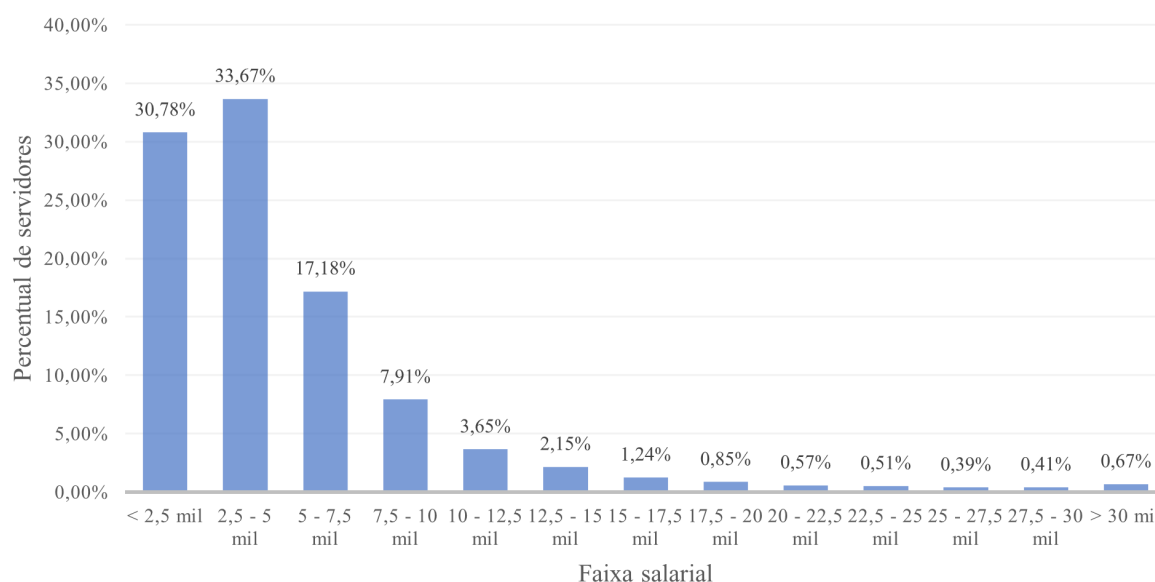
Note. Adapted from the Atlas of the Brazilian State published by IPEA (2019).

Figure 2 further illustrates inequality at the state level nationwide. Data reveal that 64.45% of state employees earn less than R\$ 5,000.00, 25.09% earn between R\$ 5,000.00 and

⁵ Color translation: Beige – Federal; Blue-green – State; Red – Municipal.

R\$ 10,000.00, while 9.77% receive between R\$ 10,000.00 and R\$ 30,000.00, and only 0.67% earn above R\$ 30,000.00.

Figure 2. Distribution of remuneration at the state level in Brazil (2018)⁶



Note. Adapted from the Atlas of the Brazilian State published by IPEA (Lopez & Guedes, 2018).

This type of tension—or even conflict—generated within the working class exacerbates its fragmentation and pits workers against one another. Moreover, it distorts the meaning of rights guarantees, as if job stability and the possibility of leaves of absence for professional development were not essential conditions for building a public career. It is well known that such guarantees are intended to ensure appropriate conditions for the performance of public functions, free from political pressures or interference within institutions.

Another instance of capital's encroachment on labor was the pension reform, enacted through Constitutional Amendment No. 103/2019. This reform introduced substantial changes regarding retirement benefits, contribution time, the Basic Calculation Period, survivor pensions, the increase of contribution rates, and the minimum retirement age—even in cases where the required contribution period had already been completed—among other modifications.

This amendment revised Article 40 of the Federal Constitution, § 1, item III, thereby obligating states and municipalities to implement adjustments in their pension systems. As noted earlier, transformations occurring at the federal level generally trigger subsequent implications at the state and municipal levels, producing a cascading effect. At the state level, the decisions imposed by the pension reform reverberated quite rapidly, since, by December

⁶ Vertical translation: Percentage of employees. Horizontal translation: Salary range.

of that same year, Constitutional Amendment 26 had already been submitted and was subsequently approved in 2020 by the governor of Bahia, Rui Costa.

Among the changes introduced by this amendment, one of the most significant is the requirement of 40 years of contributions for men and 35 years for women to receive 100% of the average of their 90% highest contribution wages. As a result, retirees and pensioners who previously fell within the contribution-exempt bracket are now required to contribute, given the reduction of the exemption threshold. In addition, the minimum retirement age increased from 55 to 61 for women and from 60 to 65 for men. The minimum contribution period was set at 25 years for both sexes, guaranteeing only 70% of the full pension value for men and 80% for women.

As can be observed, Constitutional Amendment No. 26/2020 postponed retirement, disregarded salary disparities among state employees, and disproportionately penalized female public servants, who were most affected by the reform with regard to the minimum retirement age. A similar situation applied to primary education teachers, for whom the requirement for full retirement shifted from age 50 to 56 for women and from 55 to 59 for men, both with 25 years of contributions. Moreover, the transitional rules, when compared with the federal reform, were more restrictive.

The limited availability of public service entrance examinations has a direct long-term impact on pension system stability, as a smaller number of contributors and reduced contingents of employees eligible for retirement will generate a disproportion between contribution revenues and pension expenditures.

The rhetoric of modernization was once again employed as a premise for the introduction of a new administrative reform. As Mészáros has demonstrated, capital is never satisfied within its sociometabolic cycle of control. In this sense, the proto-fascist government of Bolsonaro and his pernicious minister, Paulo Guedes—an adherent of the Chicago School—along with groups of parliamentarians and business elites advocating for a minimal state and free-market policies, advanced Proposal for Constitutional Amendment No. 32/2020, known as the Administrative Reform. This proposal sought to amend provisions concerning public servants, public employees, and administrative organizations. It was submitted to Congress by the federal government under the discourse of modernizing the state and improving the quality of services delivered to the population.

Among the most controversial aspects of the reform was the loss of tenure, without which the actions and conduct of public servants would become vulnerable to political interference. Such a measure would represent a return to patrimonialism practices that, while not entirely eradicated, had been mitigated over the years. Furthermore, the reform proposal was inconsistent, as it did not affect parliamentarians or members of the Judiciary, who, as previously noted, receive significantly higher remuneration and enjoy benefits such as extended

vacation periods and salaries exceeding the constitutional remuneration ceiling. Consequently, the reform could potentially deepen inequalities within the public sector.

Another contentious point was the possibility for the head of the Federal Executive Branch to unilaterally modify or abolish administrative positions or bodies through decrees. Although the reform contained a few reasonable points—such as eliminating compulsory retirement as a form of disciplinary sanction—it was evident that its primary aim was to serve privatizing interests, creating opportunities for temporary hiring whose ultimate purpose was to expand outsourcing and, in the final instance, privatization of public services.

Santana (2024) underscores that

During his presidency, in addition to shutting down the Ministry of Labor and Employment (MTE), Jair Bolsonaro reduced by 95% the funds transferred to municipalities and states for the implementation of actions and strategies under the Child Labor Eradication Program (PETI) in 2020 and 2021. He also curtailed the work of labor inspectors in addressing child labor in both urban and rural areas, which led to a considerable increase in the number of children and adolescents engaged in illegal labor. (p. 183)

In 2019, Bolsonaro's administration also implemented pension reform, altering the minimum retirement age and contribution periods for various categories of workers. Furthermore, in 2021, funding for labor inspection in the fight against slave labor was cut by approximately 50%, reflecting a strong alignment with the perspective of labor exploitation.

In the current context, the measures adopted by President Lula have not yet been sufficient to mitigate the impacts caused by the Temer and Bolsonaro governments, as labor and pension reforms remain in force. Consequently, the prospect of increasingly precarious working conditions and the denial of retirement rights for millions of Brazilians continues to erode the rights of the working class. Measures such as tax reform and the taxation of large fortunes, which could help reduce the effects of social inequality, remain undefined. This reality demands that workers remain vigilant with regard to measures such as the New Fiscal Framework, which imposes limits on social spending and public investment, and signals complacency with the interests of financial markets.

FINAL CONSIDERATIONS

This study sought to examine the position adopted by the labor movement in the face of confrontations between the state and the working class. Although the movement

demonstrates some degree of resistance to the advances of capital, it ultimately adopts a moderate form of organization, which results in the preservation of the established order.

In light of this, it is essential for society to engage more actively in decision-making processes that, at present, have been predominantly shaped by actors primarily concerned with expanding capitalist profits—a perspective that strips the state of its constitutional obligation to guarantee social rights.

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