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## UNION MOVEMENT AND WORKING TIME IN BRAZIL IN THE 2000S

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## INTRODUCTION

Working time has undergone important transformations since the mid-1970s, which go towards conformation of an increasingly flexible and intensified working day. However, the action of the working class around the world is still guided by the quest to reduce the working day, at the expense of making it more flexible and intensified and, more often than not, lowering wages, with the aim of maintaining (or even of creating new) jobs, thus revealing a low and insufficient effectiveness of workers' organizations in relation to both the set of dimensions that integrate working time and their own dominant characteristics in contemporary capitalism.

In the case of Brazil, these trends began to gain greater expression throughout the 1990s, when the country promoted policies that deepened its insertion in the globalization of the economy and the financialization of capitalism. According to research carried out by RÁO (2012), working time in Brazil, in the 1990s, showed a process of lengthening the hours worked, accompanied by the exacerbation of flexibility and the intensification of the working day. In turn, given a brief political, economic and social conjuncture, shaped by the resumption of economic growth and the relative improvement of social indicators and the labor market, which occurred especially between 2004 and 2013, a downward trend seemed to be verified in the country of overtime (over 45 hours a week) accompanied by greater standardization of hours worked as established by law (40 to 44 hours a week) (RÁO, 2012). But, to what extent can we support the hypothesis of reduction and greater standardization of working hours in the country, given that, at the same time, there is strong evidence of deepening the

expansion of mechanisms that make flexible and intensifying working hours? And how did the trade union movement try to act in relation to working time in this context?

The article is divided into three sections. The first section seeks to analyze the contemporary trends that occurred with the working day in the world and in Brazil. Then, in section 2, we will survey the behavior of hours worked in the country between 2004-2013 and try to highlight some evidence that helps to relativize the trend towards an increase in the length of the working day. In the third and last section, we will analyze the performance of union action, in the course of the working day, in the 2000s.

## WORKING TIME IN CONTEMPORARY CAPITALISM: TRENDS IN THE WORLD AND IN BRAZIL

After the crisis of the 1970s, the new pattern of flexible capital accumulation began to configure in capitalist societies a greater narrowing of the relationship between time and space, causing individuals to feel that they were living at an increasingly accelerated and intense pace., with few prospects for a glimpse of the future and practically trapped in a present conditioned by constant and rapid changes (HARVEY, 1993; CARDOSO, 2009).

Faced with the new conditions pressured by the expanded reproduction of capital, companies began to adopt a more flexible use of working hours, seeking to consolidate a flexibility that was totally favorable to their interests and their performance in the markets. Thus, there is an articulated action on the part of the capitalists, which has, to a certain extent, the consent of sectors of the working class itself, aiming to gradually transform that workday typical of the Fordist-Keynesian model into a much denser, more fluid and

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1. Conceptually, one of the ways of analyzing working time is through three indelible aspects that compose it: duration (or extension), distribution and intensity (DAL ROSSO, 2000).

more flexible. If these analyzes are correct, we can argue that we are, today, facing a reality marked by a profound change in the way the working day has come to be configured in the last forty years<sup>2</sup>.

In fact, what seems to be happening with the three dimensions of working time in contemporary capitalism, as suggested by the literature that deals with this theme, as well as indicated by the database made available by international organizations, is the constitution of a general movement defined by reducing the effective working day, accompanied by a process of flexibility and increased intensification of working time.

In the case of **duration of working time**, the study carried out by the ILO by LEE & McCANN & MESSENGER (2009), supports the existence of a dominant standard throughout the world that revolves around the limit of 40 hours per week, stating that only 22 % of workers, on average, are working more than 48 hours a week. Even though the important differences between countries around the world are highlighted, there is strong empirical evidence that attests to the gradual decrease in average hours actually worked. That is, everything would lead one to believe in the existence of an effective reduction in working hours in a generalized way in all countries of the world, despite the differences between them (LEE & McCANN & MESSENGER, 2009).

However, it is important to highlight a certain caveat in relation to this analysis, given that the measurement of working hours in contemporary society is the subject of studies that depart from different methodologies and various criteria adopted (paid hours, hours worked, etc.) by the media, officials and research bodies. In addition, the fundamental question resides in knowing what would be the most adequate and consistent definition currently for measuring the duration of working time, especially in view of the fading process of the demarcating lines that divide what is working time and what is the time of non-work<sup>3</sup> (CARDOSO, 2009).

With regard to the **distribution of working time** in contemporary times, it is observed in a more consensual way that the flexibilization of the working day has become a common phenomenon in almost all nations. That pattern of distribution of working hours in a more rigid regime had given way to the introduction of numerous mechanisms, such as the hourly compensation system (known as annual modulation), the release of work on Sundays and holidays, the advancement of part-time or fixed-term jobs, and also the use of different forms of alternating shifts and work scales, which ended up transforming working time into something increasingly flexible to the interests of companies<sup>4</sup>. There seems to be no doubt, therefore, that the flexibility in

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2. Check, for example: CALVETE, 2006; DEDECCA, 1999, 2004; KREIN, 2007; CARDOSO, 2009.

3. The author points to the need to recognize the existence of times dedicated to work that are outside the restricted space of the workplace. For example, the time spent on transportation between home and work, the time occupied by (re)qualification activities, the hours on call, the time dedicated to tasks taken home, the times when workers see each other obliged to bring solutions for the best performance of the work process and, finally, the time dedicated to associative and cultural activities, of social responsibility, assigned by the growing demand of "citizen companies". Undoubtedly, all these elements characterize working hours, the problem is that they are no longer considered as such even by a large part of the workers themselves. In fact, these are spheres in which capital will seek to act in the sense of imposing greater constraints on the use of their time and which will be strongly unrecognized by capitalists as labor situations (CARDOSO, 2009).

4. According to the recent report "Social and Employment Perspectives in the World: Changes in Employment Modalities" (ILO, 2015), the classic employment model, in which workers earn salaries and wages in a dependency relationship, have stable jobs and work full time, is tending to disappear. Within the salaried pool, less than 45 percent of these are employed full-time on a permanent basis. This means that around 6 out of 10 salaried workers worldwide are in part-time or temporary work. That is, the classic employment model is less and less representative of the current world of work, since less than one in four workers is employed in conditions that correspond to this model (ILO, 2015).

the distribution of hours worked is a very expressive process in the contemporary world, with harmful consequences for the working class, as demonstrated in the literature <sup>5</sup>.

Finally, with regard to the **intensity of working time**, despite the low incidence of research and discussion on this topic, there is recognition, on the part of some analysts, that in today's scenario, capitalists have managed to imprint a very more sophisticated way of controlling workers' working hours. For one of the greatest scholars on the subject, it is possible to admit that there is an ongoing movement towards greater intensification of the pace of work, identified, above all, from the new labor requirements inherent in the different forms of work organization, aimed at achieving results quantitatively and qualitatively superior (DAL ROSSO, 2008).

This way, contemporary work would be characterized by the imposition of greater speed, agility, rhythm, polyvalence, versatility, flexibility, accumulation of tasks and incessant search for more results on workers. According to the researcher, there seems to be in contemporary societies, related to the numerous transformations that occurred in capitalism in recent decades, the emergence of a more intensive pattern of capitalist use of hours worked. Furthermore, the occurrence of varied patterns of intensity is observed according to the multiplicity of social contexts, especially the peculiarities of the sectors and economic activities of each country or region (DAL ROSSO, 2008).

As a consequence of all these changes that have emerged in recent decades, the debate about the duration, distribution and intensity of working time is situated in a much more complex framework, revealing an unequivocal ability of companies to reinforce and/or create other more consistent ways of intensifying

the pace of work and increasing control over working hours.

However, from the point of view of the class struggle, in this context of structural unemployment and precarious working conditions, the action of the working class around the world continues to be guided by the quest to reduce the working day, even at the expense of its flexibility and intensification and, more often than not, wage reduction, with the purpose of maintaining or even creating new jobs (CALVETE, 2006). It must be noted, however, the low and insufficient contestation of workers' organizations in relation to both the set of dimensions that make up working time and its own dominant notion in contemporary capitalism (CARDOSO, 2009).

These would be the general trends that occurred with the working day in several countries around the world. With regard to the Brazilian case, it is necessary to preliminarily emphasize that working time has always been marked by some particular traits that place it, even today, among the nations that have one of the longest working hours in the world. Historically, the standard of hours worked required for the working class as a whole was structured, radically, in the existence of high, flexible and intense working hours <sup>6</sup>(DAL ROSSO, 1996; 2006).

In the 1990s, in turn, following the constitutive tendencies of the current pattern of flexible capital accumulation and from a field of force correlations that was quite unfavorable to the action of workers' organizations, the disputes around the establishment of time limits were forging a process of reconfiguration, characterized by stretching (RÁO, 2012), the exacerbation of flexibility and the increase in the intensity of the workday <sup>7</sup>(KREIN, 2007; CALVETE, 2006; CARDOSO, 2009).

5. Cf. CALVETE, 2006; DEDECCA, 1999, 2004; KREIN, 2007; CARDOSO, 2009.

6. For more details, see: Cardoso (2009), Ferreira (2004).

7. In the framework of the consolidation of neoliberalism in the country, this movement refers, however, to one of the trends

In Brazil, the implementation of the flexible, fluid and denser working hours followed the following outlines, respectively: (i) **duration of the working day** : the realization of overtime reached a new level between 1992-2003. Despite the 2000 Demographic Census indicating that 44.1% of workers worked overtime in the country, on average for that period, around 40% of the EAP began to work 45 hours a week or more, the peak being reached in 1996 (42, 1%) and the minimum in 2003 (39.6%)<sup>8</sup>; (ii) **distribution of the workday**: the workday increasingly suited to the seasonality of economic activities and the increased availability with which the worker complies with the work indicate the process of exacerbation of the flexibilization of the workday in its logic by adjusting the use of workers' time according to the needs of the company itself, breaking the idea of atypical working days and traditionally defined schedules (KREIN, 2007; CALVETE, 2006; CARDOSO, 2009) and, finally, (iii) **intensity of working hours**: both the new and the old mechanisms arising from technological development and work management schools reveal a movement towards the intensification of the pace of work, the elimination of its porosity and greater sophistication in the control over the performance of work, with severe implications on workers' own social reproduction (CARDOSO, 2009; DAL ROSSO, 2008).

## WORKING TIME IN BRAZIL IN THE 2000S: AN INFLECTION?

Throughout the 2000s, especially from 2004 onwards, the brief situation experienced

by Brazilian society underwent some relative changes<sup>9</sup>. In this context, which was little more favorable to the labor market and union action, disputes over working hours were apparently forging a new standard of hours worked in the country. In reality, this pattern would represent a milestone in the history of working time in Brazil, but it requires some caution in its analysis.

From the point of view of the length of the working day, in the 2000s, as shown in Table 1, employed workers of working age, who work between 40 and 44 hours a week, increased from 33.6% (2004) to 45.4% (2013), while those in the range of 45 hours a week or more dropped from 37.9% (2004) to 28.4% (2013).

Based on Table 2, it is possible to infer the evolution of working time according to gender. In the case of men, there was a downward movement of those who work long hours towards the more standardized level of hours worked according to legal regulations: from 35.4% in 2004 to 47.7% in 2013. female behavior, there is a downward movement of those who work both hours in the range of 15 to 39 hours, and in the range of 45 hours or more, towards the level of 40 to 44 hours per week.

From Table 3, we can verify the relationship between groups of hours usually worked per week according to position in occupation of main job activity. In general, we observed that in all categories there was a significant drop in overtime. The cases of employees with and without a formal contract illustrate the strong tendency towards standardization of working hours in the range of 40 to 44 hours worked per week. In terms of self-employment, this

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constituted by the hegemonic way in which the flexibilization of labor relations took place in Brazil: in addition to the emergence of some legislative changes and added to the already insistent ones structural characteristics of the Brazilian labor market and relations - expressed in the abusive use of overtime, low wages, high turnover and informality - new elements are brought to the fore, such as the hour bank, work on Sundays and part-time work, which combine with outsourcing, *just-in-time*, polyvalence and PLR, adopted in the midst of the productive restructuring process (KREIN, 2007; CALVETE, 2006; CARDOSO, 2009).

8. In the period as a whole (1992-2003), the levels of overtime reached a very high level, predominant in all economic sectors, positions in occupation, types of occupation and income classes (RÁO, 2012).

9. Cf. BALTAR *et al.*, 2010; BARBOSA & PEREIRA, 2010.

Groups of Hours usually worked per week across all jobs	Year					
	2004		2008		2013	
	(In Millions)	BR	(In Millions)	BR	(In Millions)	BR
up to 14 hours	5.36	6.3	5.71	6.2	5.90	6.1
15 to 39 hours	18.69	22.1	20.04	21.7	19.44	20.1
40 to 44 hours	28.41	33.6	35.81	38.8	43.90	45.4
45 hours or more	32.09	37.9	30.83	33.4	27.42	28.4
No declaration	0.04	0.0	BR	BR	BR	BR
<b>Total</b>	<b>84.60</b>	<b>100.0</b>	<b>92.39</b>	<b>100.0</b>	<b>96.66</b>	<b>100.0</b>

Table 1 - Evolution of working time in Brazil (Number of hours usually worked per week – all jobs – ten years old or more) – Brazil: 2004, 2008, 2013.

Source: PNAD-IBGE Microdata, 2004, 2008, 2013. Own elaboration.

Groups of Hours usually worked per week across all jobs		Year					
		2004		2008		2013	
		(In Millions)	BR	(In Millions)	BR	(In Millions)	BR
Man	up to 14 hours	1.46	3.0	1.56	2.9	2.05	3.7
	15 to 39 hours	7.61	15.5	8.25	15.5	8.18	14.7
	40 to 44 hours	17.43	35.4	22.13	41.6	26.50	47.7
	45 hours or more	22.71	46.1	21.25	39.9	18.82	33.9
	<b>Total</b>	<b>49.21</b>	<b>100.0</b>	<b>53.19</b>	<b>100.0</b>	<b>55.55</b>	<b>100.0</b>
Women	up to 14 hours	3.89	11.0	4.15	10.6	3.85	9.4
	15 to 39 hours	11.08	31.4	11.79	30.1	11.26	27.4
	40 to 44 hours	10.99	31.1	13.68	34.9	17.40	42.3
	45 hours or more	9.38	26.5	9.58	24.4	8.60	20.9
	<b>Total</b>	<b>35.34</b>	<b>100.0</b>	<b>39.20</b>	<b>100.0</b>	<b>41.11</b>	<b>100.0</b>

Table 2 - Evolution of working time in Brazil (Number of hours usually worked per week – all jobs – ten years old or over, according to gender) – Brazil: 2004, 2008, 2013.

Source: PNAD-IBGE Microdata, 2004, 2008, 2013. Own elaboration.

Position in Occupation in main job activity	Year											
	2004				2008				2013			
	Up to 14	15 to 39	40 to 44	45 or more	Up to 14	15 to 39	40 to 44	45 or more	Up to 14	15 to 39	40 to 44	45 or more
Employee w/ card.	0.5	8.4	48.9	42.1	0.3	7.9	55.6	36.2	1.8	8.2	59.3	30.7
Employee w/ card.	3.0	22.0	35.4	39.6	3.5	25.2	37.3	34.0	4.7	26.4	42.6	26.2
own account	7.0	26.0	22.3	44.5	7.9	27.8	25.9	38.4	7.4	25.9	32.5	34.2

Table 3 - Persons aged 10 or over, employed in the reference week, by groups of hours usually worked per week in their main job, by position in their main job occupation (%) – Brazil: 2004, 2008, 2013.

Source: PNAD-IBGE Microdata, 2004, 2008, 2013. Own elaboration.

standardization movement has not yet taken place, but the decline in overtime is evident.

Thus, as suggested by the endorsed data, there seems to be in Brazil, especially from 2004 onwards, a movement towards greater standardization of working hours promoted by the large concentration of the population employed in the range of 40 to 44 hours per week. It is worth mentioning that this movement occurred in a generalized way, reaching almost all economic sectors, positions in occupation, types of occupation and income classes<sup>10</sup>.

What could explain, then, the length of the working day in Brazil, in the last decade, starting to show a trend of decline in overtime, accompanied by a strong standardization of hours worked according to constitutional norms?

According to our assessment, this trend is mainly due to the relative improvements that occurred in some labor market indicators. As shown in Table 4, the period 2004-2013 shows a significant increase in wages (with and without a formal contract), which increased from 51.3% to 58.2% of the EAP, given that the pace of growth in salaried employment (28.2%) was much higher than that of PEA (13.1%).

From the point of view of the occupation of employees in the formal private sector, military and civil servants and employers, it can be observed that the pace of expansion (42.4%) was even greater than that of wage earners. This evidences a significant formalization of the Brazilian occupational structure, given the vertiginous growth of these segments as a proportion of the EAP (from 38.1% in 2004 to 48.1% in 2013). In addition to the increase in wages and formalization, the Brazilian occupational structure saw a drop in the most precarious and/or informal/illegal occupations, such

as wage earners without a formal contract, self-employed workers, domestic workers and unpaid workers who went from 51, 1% (2004) to 41.4% (2013), revealing a reduction of 8.3% in the EAP.

Likewise, there is a significant drop in unemployment rates. Between 2004 and 2013, the open unemployment rate went from 9.0% to 6.5%, obtaining a decrease of almost 30% in relation to the PEA, and the metropolitan unemployment rate went from 11.5% to 5.4%, in the same period, reaching a drop of 53% in proportion of the PEA. For this reason, the total unemployed jumped from 9% to 6.5%, with a relative reduction of 19%. In addition to improvements in the Brazilian occupational structure, there is also a strong trend towards a real increase in earnings from work in metropolitan regions (38.2%) and the minimum wage (63.6%).

Another aspect that also helps to explain this movement concerns the fact that the economically active Brazilian population is dedicating itself more and more to study.

As indicated in Table 5, an important change in the profile of the EAP in relation to the level of education can be evaluated. In 2004, 52.4% of the EAP was in the group of years of study corresponding to the range (1 to 9 years of study) and 37.0% of the EAP was concentrated in the range (10 years or more of study). In 2013, there was a major inflection: 40.2% of the EAP became part of the range (1 to 9 years of study) and 52.4% of the EAP reached the range (10 years or more of study).

Finally, it is worth mentioning that the movement taken by working hours in the conjuncture (2004-2013) was due, albeit to a lesser extent, to the relative protagonism of Brazilian union action. This was reflected both in terms of obtaining gains, in collective negotiations, in some aspects of the employment relationship, especially in

10. See RAO (2012).

Indicators/Year	2004		2008		2013		Var. 2013-04 (%)
	Abs.	BR	Abs.	BR	Abs.	BR	
PEA	90672	100.0	99500	100.0	102517	100.0	13.1
Busy <sup>(1)</sup>	80926	89.3	92395	92.9	95880	93.5	18.5
Unemployed	8196	9.0	7105	7.1	6637	6.5	-19.0
<b>Total Employees</b>	<b>46548</b>	<b>51.3</b>	<b>54187</b>	<b>54.5</b>	<b>59696</b>	<b>58.2</b>	<b>28.2</b>
Employment of the Private Sector. Formal	25558	28.2	31881	32.0	38505	37.6	50.7
Military and Func. public	5563	6.1	6421	6.5	7138	7.0	28.3
employers	3470	3.8	4144	4.2	3623	3.5	4.4
<b>Total Formal Occupation</b>	<b>34591</b>	<b>38.1</b>	<b>42446</b>	<b>42.7</b>	<b>49266</b>	<b>48.1</b>	<b>42.4</b>
Employees without registration	15427	17.0	15884	16.0	14053	13.7	-8.9
domestic workers	6458	7.1	6626	6.7	6423	6.3	-0.5
Own Account	18551	20.5	18689	18.8	19869	19.4	7.1
Unpaid	5900	6.5	4587	4.6	2127	2.1	-63.9
<b>Total Precarious Occupation</b>	<b>46336</b>	<b>51.1</b>	<b>45786</b>	<b>46.0</b>	<b>42472</b>	<b>41.4</b>	<b>-8.3</b>
Performance Rate Open	BR	9.0	BR	7.1	BR	6.5	-27.8
Performance Rate Metropolitan	BR	11.5	BR	7.9	BR	5.4	-53.0
Actual Minimum Wage	437.56		BR		715.79		63.6
Real Average Yield RMs <sup>(2)</sup>	1895.48 <sup>(3)</sup>		BR		2620.04 <sup>(4)</sup>		38.2

Table 4 – Selected Labor Market Indicators – Brazil: 2004, 2008, 2013.

Source: PNAD/IBGE, PME/IBGE, IPEADATA. (1) Excluding self-construction and self-consumption workers. (2) At prices from Jan. 2015. (3) Dec. 2004. (4) Dec. de 2013. Own elaboration.

Years of study	Year		
	2004	2008	2013
<b>without study</b>	10.1	8.5	7.1
<b>1 to 4 years</b>	23.9	19.4	14.8
<b>5 to 9 years</b>	28.5	27.0	25.4
<b>10 to 12 years</b>	26.3	31.3	35.1
<b>13 years or more</b>	10.7	13.4	17.3
<b>not determined</b>	0.6	0.4	0.3
<b>Total</b>	100.0	100.0	100.0

Table 5 - Persons aged 10 years or over, employed in the reference week, according to groups of years of study (%) – Brazil: 2004, 2008, 2013.

Source: PNAD-IBGE Microdata, 2004, 2008, 2013. Own elaboration.



relation to wages (KREIN, 2014), as well as, in the case of working hours, in the composition of forces around of the “National Campaign for the Reduction of the Working Day without a Salary Reduction” (CARDOSO, 2009). But, in general, it appears that the role of trade union action was quite limited in the period (CARDOSO *et al*, 2011).

Therefore, the more convenient scenario for the national economy, created from 2004 onwards, resulted in greater growth in salaried employment, greater formalization of work, greater gains in real earnings from work and in the minimum wage. These were the factors that most contributed to the drop in overtime and greater standardization of working hours in Brazil in the last decade. In this sense, the decrease in the length of the working day apparently reveals a slightly more favorable situation for Brazilian workers who, for a long time, have pursued one of the longest working hours in the world.

However, it would be necessary to relativize this trend. Does the situation of increasing overtime and greater standardization of working hours in Brazil mean that workers are necessarily working less?

Everything indicates, to a large extent, the significant recovery of formal employment, the relative increase in the formalization of companies and employment contracts, the strong rise in real earnings from work and the minimum wage and, to a lesser extent, the action itself more active union contributed to the occurrence of a certain cooling in the general level of compliance with overtime in the country. However, it would be interesting

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11. In the framework of the flexible workday, it is increasingly complex to define and delimit the dividing line of execution between normal hours and overtime. And this certainly complicates both the collective bargaining process and the very notion of the amount of overtime worked, especially when the payment of the same is determined *after* completion, in longer terms that can reach a year (CALVETE, 2006).

12. In 2013, outsourced workers reached almost 27% of formal employees. This data is still quite underestimated, but it reveals the progress of precarious work in the country. In addition, as is well known, outsourced workers earn 24.7% less and work 3 hours more per week (not counting overtime) compared to non-outsourced workers. For more information, see: Outsourcing and development: an unfinished business: dossier on the impact of outsourcing on workers and proposals to guarantee equal rights. São Paulo: Central Única dos Trabalhadores, 2014.

to adopt a perspective that relativizes this more recent movement, which occurred with the length of the working day in Brazil, taking into account numerous important elements.

In the first place, it is necessary to point out that, despite the indication of this generalized trend, there is still the persistence of a reasonable percentage of workers working overtime in the country, something close to 30% of the occupied EAP, in 2013. This means that, even though the volume of overtime has reduced, it does not imply that overtime has become something exceptional. As discussed by Calvete (2006), overtime, in many cases, began to acquire a certain normality, even of an ordinary nature.

On the other hand, it is also important to highlight that, in this context of economic growth recovery, the mischaracterization, non-compliance and reassessment of the way in which overtime is remunerated continued to advance <sup>11</sup>, mainly with the consolidation in the country of the overtime system. In the absence of any legislative measure that provides for some type of monthly or annual limitation on the hours exceeded and the inexpressive punishments caused to employers who exceed the limits, these strategies used by the employer class have persisted consistently in recent years (CALVETE, 2006).

In addition, the process of outsourcing <sup>12</sup>and outsourcing of economic activity in the country, responsible for a large part of the formal jobs generated in the period 2004-2013, continued to advance. It must be noted that not only was there a relative increase in the services sector in the total composition

of the economically active population in the country, but also the relative increase of this sector in the total economic activity in Brazil<sup>13</sup>. Worrying data, among other reasons, due to the fact that the service sector continues to be the privileged niche of overtime (DAL ROSSO, 2006; RÁO, 2012).

In turn, it is necessary to recognize the enormous resistance adopted by the State and the employers' class in the perspective of legally reducing working hours in the country, nor admit any possibility of reducing or eliminating overtime through negotiations and collective agreements. Many were the difficulties encountered by the trade union movement regarding the theme of the working day. To a large extent, as seen in some studies, despite the combination of forces that resulted in the realization of the "National Campaign for the Reduction of the Working Day without a Salary Reduction", the union action proved to be quite timid in discussing and negotiating agreements and clauses more favorable to the working class (CARDOSO *et al.*, 2011).

Other elements that help to relativize the trend of increased working hours can be seen, for example: (i) in relation to commuting time from home to work<sup>14</sup>; (ii) in relation to the highest level of education<sup>15</sup>; (iii) in relation to the ever-increasing and recurrent progress of companies in terms of being on call, of tasks to be taken home, of solutions to be brought to work, of workers' dedication to

social responsibility activities and also (iv) in relation to the appropriation of Sundays; the introduction of annual modulations and successful reforms in social security systems. All these elements, if taken by official bodies and other surveys, would certainly point towards lengthening the working day, be it daily, weekly, annual and in the scale of the life cycle.

Finally, also fundamental to relativize the trend towards a decrease in overtime and a greater standardization of hours worked is the expansion and sophistication of the mechanisms used by companies registered in the flexibilization and intensification of working hours. As supported by some surveys, the process of making working hours more flexible continued to advance<sup>16</sup>, mainly as a result of the recomposition of alternating shifts and work schedules, non-compliance with intra- and inter-shift breaks and the de-characterization of the on-call regime. In addition, not only the regulation of work on Sundays was verified, but also the consolidation of the hour bank regime (KREIN *et al.*, 2011).

Some studies also emphasize the continuity of the process of intensifying the pace of work. There is evidence that the new forms of organization of the production process and work, allied to the new (and added to the old) mechanisms used by capitalist management schools, given the technological

13. According to the survey carried out in our article, based on PNAD/IBGE microdata, the services sector now corresponds, in 2013, to 53.63% of the EAP, according to occupational groups and to 34.7% of the EAP, according to the sectors of activities.

14. According to a study by IPEA (2013), about 20% of workers in Brazilian metropolitan regions spend more than one hour a day commuting just one way from home to work. In 1992, this index was 14.6%. At the same time, the survey points out that, for the first time, more than 50% of households in the country have cars or motorcycles available for residents to travel around. Among several reasons that explain this increase in displacement, the Institute highlights: the growth in the number of vehicles in the country, the worsening of traffic, the degradation of public transport and the lack of more and better works of urban mobility.

15. In our assessment, based on the data shown in Table 5 (above), the higher level of education achieved by Brazilian workers is fundamentally due to, among other factors, the greater demands and/or demands required by companies, greater competitiveness in the market of work and the search to remain employable.

16. The employers maintained a set of other persuasive actions aimed at this endeavor: it sought to increase the control given to workers' time both inside and outside the workplace; tried to make an effort to transform the special journeys of shorter duration into longer journeys; continued to insist on reducing the number of teams in alternating shifts, especially in the industrial sector, with the aim of expanding and intensifying working hours, among other measures (CARDOSO, 2009).

and organizational transformations operated since the constitution of the current pattern of flexible accumulation in course, are providing a qualitative change in the way in which the worker starts to dedicate himself to work and, above all, in the way in which he sees himself practically pressured to perform it <sup>17</sup>(DAL ROSSO, 2008).

According to the study carried out by IPEA (2012), Brazilian workers have been faced with a reality in which they gradually end up encountering many difficulties in disconnecting from work, either due to the need to be on standby or on alert, or due to the information technologies and personal use (pager, cell phones, internet), whether because of the need to prepare (through the imperative of carrying out studies and/or complementary educational and professional training) or simply resting for the day after work <sup>18</sup>. In this sense, the idea that “a ‘blurring’ of the boundaries between working time and free time” (IPEA, 2012, p. 22-23) has been taking place, based on the perception of Brazilian workers themselves, is certainly related to the set of transformations that occurred with working time in the current requirements of the expanded reproduction of capital<sup>19</sup>.

Thus, it is necessary to be very careful when sustaining the existence of a reduction

in working hours in Brazil, over the last conjunctural cycle. Although it is possible to verify relative improvements in relation to some social and labor market indicators, it is necessary to highlight the continuity of a process of precariousness of the living and working conditions of the working class, as happened with working time. This is largely due to the frank accommodation of the trade union movement, especially the CUT, in relation to this agenda, as we will see in the next section.

### **WORKING TIME IN BRAZIL IN THE 2000S: UNION ACTION AND COLLECTIVE BARGAINING**

The 2004-2013 conjuncture provided, in a way, a recovery of trade unionism, especially between 2004 and 2007, although after the 2008 crisis, the trade union movement has been based much more on a propositional character than a critical one. The strengthening of collective negotiations is notorious in order to advance in new conquests and there is a greater range of national strikes and more aggressive methods of struggle such as public acts, marches, pickets and occupations (GALVÃO *et al.*, 2009). However, this attempt to resume the trade union movement - in the quest to gain greater protagonism in

17. In general, it is plausible to assume that a central tendency of contemporary capitalism is the demand on workers for greater rhythm, speed and agility of actions, greater demand for results, greater accumulation of tasks, among others (DAL ROSSO, 2008). However, the introduction of new elements carried out with the productive restructuring process, such as polyvalence, outsourcing, PLR, reduction of stocks, reduction of collective and individual breaks, increased work pace, the *just in time*, group work, the bank of hours, the reduction of intervals and the reduction of deadlines for the execution of tasks, contribute greatly to the support that, in the current phase of the pattern of capital accumulation, the capitalist class has been achieving a greater intensification of the pace of work, seeking to eliminate all its porosities and imposing a more sophisticated control over the performance of work, affecting with great impact the very social reproduction of workers (CARDOSO, 2009).

18. According to the conclusions pointed out by the report (IPEA, 2012) : i) close to half of the interviewees highlight difficulties in disconnecting completely from work, especially after the end of their daily journey; ii) less than a third of them claim to be able to assume other regular commitments, in addition to their work; iii) more than a third of them understand that free time has been decreasing in the recent period, due to the daily time spent at work; iv) more than a third of the interviewees understand that the daily time dedicated to work compromises the quality of life; v) almost half of them are against the need to dedicate part of their free time to work activities; vi) only a fifth of them actually think about changing jobs because of the time they spend on it and, finally, vii) almost a third of respondents maintain that they would not notice changes in their free time, if changes were approved in the legislation that regulate the working day.

19. For a broad study on this issue, see CARDOSO (2009).

society - was demarcated, on the one hand, by the somewhat ambiguous stance of the Lula government regarding the flexibilization of rights and labor relations<sup>20</sup> (KREIN *et al.* 2011) and, on the other hand, by the change in the relationship between the trade union movement and the government<sup>21</sup> (GALVÃO, 2010).

It turns out that, even with the positive measures implemented by the government, the current pattern of social regulation of work continued to show a high degree of flexibility. Flexibilization continues to advance with outsourcing, subcontracting, hiring as a legal entity, the permanence of high illegality, informality and turnover<sup>22</sup>(BALTAR *et al.*, 2010), as well as with variable remuneration, the flexibilization of the working day and atypical forms of contracting (KREIN *et al.*, 2011).

Thus, from the point of view of legislative measures, there are two important signs that reinforce the tendency to make working hours more flexible: the prevalence of attributing the

issue of intraday break to collective bargaining and the consolidation of work on Sundays in the trade (KREIN *et al.*, 2011).

With regard to the actions of capitalists, there are indications of continuity in the process of flexibilization and intensification of the working day. In addition to the permanence of some of the historical elements that made labor relations more flexible (high illegality, informality and turnover), added to the others, which emerged in the midst of productive restructuring ( outsourcing, *just in time*, polyvalence, PLR, subcontracting, contracting with a legal entity ), continued to advance those mechanisms specifically related to the issue of working hours, such as the bank of hours and individual compensation for working hours; release from work on Sundays; the recomposition of uninterrupted relay shifts; non-compliance with intraday rest; the mischaracterization of the on-call regime, among others, pointed out by several researchers<sup>23</sup>.

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20. From the point of view of the labor reform, the measures carried out followed either the direction of flexibility, or the strengthening of public labor regulation (KREIN *et al.* 2011). However, as Galvão (2010) pointed out, it is clear that flexibility is aimed especially at specific audiences (such as young people, legal entities and micro and small companies), especially in view of the majority way of forwarding this process, the from specific changes via ordinary legislation. Therefore, they are movements that reveal, in fact, the very immanent tensions that Brazilian society was faced with in the face of a government that came from a strong union and popular base, but that opted for contradictory actions and policies in the framework of maintaining order instituted.

21. The union reform promoted the recognition of the Centrals and their financing through the transfer of part of the union tax and had as an implication, on the one hand, the process of merger between some union Centrals and, on the other hand, new divisions at the top. The Lula government contributed in some way so that the trade union centrals demonstrated a more demanding and purposeful nature, especially after the 2008 crisis. dominant seemed opportune, insofar as such changes, even if they impacted its actions, would play in favor of its strengthening, if they had actually occurred; in relation to the labor reform, there is something contradictory, since in its official discourse the flexibilizing theses are seen as harmful, but it is quite common in the unions that represent it to negotiate such agreements and conventions (GALVÃO, 2010). As of 2008, the CUT consolidates its political-ideological project supported by social developmentalism, which advocates economic growth with income distribution and strengthening of public policies, leaving in the background, strictly speaking, its character of anti-capitalist and classist struggle, which can be observed in the substitution of a perspective for the construction of socialism for another that advocates a new model of capitalist development for the country, articulated by an action within the official structure.

22. For Baltar *et al.* (2010), “of the total EAP, 31.2% were still employed as self-employed workers, employers, non-remunerated workers, workers in agricultural production for their own consumption and in the construction of their own house. Thus, salaried employment did not cover more than 61.7% of the EAP, and of this contingent, 33.7% were unregistered employees (an illegal way of using the salaried workforce in Brazil) and 10.9% were employees in paid domestic work” (Baltar *et al.* , 2010, p. 11-12).

23. Cf. DAL ROSSO, 2006; CARDOSO, 2009, *et al.* , 2011; KREIN, 2007, *et al.* , 2011; CALVETE, 2006.

Even in the case of a scenario in which the working class achieved significant achievements through collective bargaining, especially in relation to the recovery of wage levels that were deeply outdated in the 1990s, it was not possible to have an effective containment or counterposition regarding the general trend that occurred with the flexible working hours that were established in the 1990s, since the employers' sector continued to oppose the inclusion of new clauses in collective bargaining related to the issue of working time (CARDOSO *et al.*, 2011).

To a large extent, the strategies used by capitalists, such as the abusive use of overtime (albeit to a lesser extent), the mischaracterization of overtime and non-compliance and/or reassessment of their pay (especially in those sectors where there is presence of the hourly bank regime), the maintenance of the low cost and risk for companies in non-compliance with the payment of workers' rights, the changes in the daily, weekly, annual journey and in the scale of the workers' life cycle, the advance of the mechanisms introduced in the productive restructuring and of the specific strategies used in each company and sector of economic activity, the adjustment of working time to the interests and seasonality of the companies themselves, the intensification of the pace, the elimination of porosities, greater control over the performance of work and on the very social reproduction of workers, serve as an indication that the employer class continued to deepen the process of flexibilization and intensification of work in Brazil, throughout the 2000s.

From the point of view of the organized working class, it is important to point out initially that, in view of the new and slightly

more favorable conjuncture, in terms of the correlation of forces, in 2003 the debate on the reduction of the working day was rekindled, through the execution of the “ *National Campaign for the Reduction of the Working Day without a Salary Reduction* ”, under the auspices of the six largest trade union centrals in force in the country (CUT, Força Sindical, CGT, CGTB, CAT and SDS) and the support of DIEESE <sup>24</sup>. According to Cardoso (2009), despite everything, the Campaign - which had as its motto not only the reduction of working hours, without reducing wages, but also the limitation of overtime and the bank of hours - did not manage to translate into a broad and effective process of discussion of national scope due to several reasons.

In the first place, it was very difficult for the trade union movement to guarantee the workers' mobilization regarding this demand, partly because of their concern with the issue of employment and wages and not with the actual reduction of the working day, but also because of the fact that some important categories achieved achievements in reducing hours worked, despite the flexibilization and intensification of the same. Another element would be the difficulty encountered by the union movement around collective decision-making and the maintenance of proposals and, above all, the level of verticalization that decisions were being implemented by the actors involved in the process (CARDOSO, 2009).

In general, the union representatives understood that the reach of the reduction of working hours must be conquered through changes in the legislation, believing that the new political context, propitiated by the Lula government, would be more favorable to its implementation. It so happens that,

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24. The group of these institutions started to join efforts towards the approval in the National Congress of the Constitutional Amendment Proposal (PEC 393/01) authored by Senator Paulo Paim (PT) and Federal Deputy Inácio Arruda (PCdoB). The project provides for the reduction of the legal limit to 40 hours per week, which may reach 35 hours two years later, and establishes greater compensation for overtime (CARDOSO, 2009).

however, after the political crisis caused by the “mensalão” in 2005, the government abandoned the discussions of the Trade Union and Labor Reform. Even so, without government support, during 2005 and early 2006, the Campaign resumed through a new petition and marches in Brasília<sup>25</sup>(CARDOSO, 2009).

Above all, a very important issue deserves to be discussed in relation to the impact and content that the National Campaign brought to the debate on working time in Brazilian society. Again, the focus of the demand on the part of the trade union movement resided in linking the reduction of working hours with the creation of jobs, sometimes disregarding the idea of free time and good living.

In the evaluation of Cardoso (2009), although the relationship between unemployment and working time is something very common in all the discourses of the various social actors involved in the process - since the problem of unemployment has always come to occupy a prominent role in collective bargaining processes, especially in the 1990s – there are fundamental reasons that help explain the appeal to working time and not to increasing free time, such as the constitution and composition of the labor market itself, marked by high informality and precariousness; the absence of a welfare state that guarantees the minimum rights of workers; the very low levels of wages and, especially, the ruse of the excessive appreciation of work that affects the Brazilian working class.

However, Calvete (2006), in turn, asserts that the biggest obstacles to the approval of

25. This process, in turn, lasted until 2009, with the perspective of the proposal for the Reduction of the Working Day being voted on by the National Congress. At the end of June 2010, the Special Commission of the Chamber of Deputies that analyzed the reduction of working hours, from 44 to 40 hours a week, unanimously approved the report favorable to the proposal presented by Deputy Vicentinho (PT-SP) regarding the Proposal Amendment to the Constitution PEC 231/95. The proposal, under discussion for 14 years in the National Congress, also increases the overtime rate from 50% of the normal rate to 75%. The expectation was that the PEC would be voted by the plenary of the House in early August of that year. It would have to be voted on in two shifts and to be approved, at least 308 favorable votes would be required. If approved in the House, the PEC would be sent for discussion and voting in the Federal Senate.

the reduction of working hours are not of an economic nature, but of a political nature. Moreover, it points out that the struggle to reduce working hours cannot be seen as a panacea for the problem of unemployment, but with the aim of helping to unite the working class around proactive action towards social development. For the author, the greatest difficulties to be faced around this issue reside in the resistance of the business sector; in the fragility of the trade union movement; the size of the informal sector; in the heterogeneity of the national economy; in low wages; in the breadth of occupations parallel to the high inequality in labor income and in the precariousness of labor inspection.

Thus, despite the failure achieved by the National Campaign in society, it ended up influencing workers' struggles to a certain extent. According to the balance of trade union action in the face of disputes around the working day, Table 6, below, allows us to make the following considerations:

(i) from 2005 onwards, a first reaction from the trade union movement began to occur, and in 2008, the total number of strikes carried out over the issue of working hours reached its peak of 18%. Of this total, strikes referring exclusively to the reduction of working hours reached greater prominence in the years 2007 (47.7%), 2009 (47.8%) and 2010 (53.6%), where the important effect of the economic crisis on the Brazilian economy, in terms of collective bargaining;

(ii) with regard to the strikes triggered on the “maintenance of working hours”, the year 2009 stands out above all, revealing that it was a movement of a properly reactive nature

Year	Total Strikes (A)	Claims related to the journey									
		Total strikes per day (B)		Day Maintenance		Reduction of working hours		Extinction of Overtime <sup>(1)</sup>		Non-flexibility of the Journey	
		no.	% regarding the	no.	% over (B)	no.	% over (B)	no.	% over (B)	no.	% over (B)
2004	302	36	11.9	1	2.8	14	38.9	4	11.1	two	5.6
2005	299	40	13.4	1	2.5	16	40.0	5	12.5	7	17.5
2006	320	51	15.9	3	5.9	9	17.6	16	31.4	two	3.9
2007	316	44	13.9	two	4.5	21	47.7	3	6.8	4	9.1
2008	411	74	18.0	3	4.1	27	36.5	1	1.4	10	13.5
2009	518	69	13.3	11	15.9	33	47.8	1	1.4	two	2.9
2010	446	56	12.6	4	7.1	30	53.6	two	3.6	5	8.9
2011	554	90	16.2	5	5.5	41	45.5	1	1.1	4	4.4

(1) Includes reduction in the number of overtime hours

Table 6 - Annual total and distribution of strikes according to selected claims, Brazil - 2004-2011.

Source: CARDOSO (2009, p. 115) - Referring to the years 2004 – 2006; DIEESE – Referring to the years 2007 – 2011. Prepared by: CARDOSO (2009).

of union action in the face of the immediate economic crisis;

(iii) with regard to strikes carried out to make working hours more flexible, there has been a strong increase in this demand in the agendas of collective bargaining, with 2005 being the most representative year (17.5%), followed by 2008 (13.5%). However, we will see in this section that, in the vast majority of agendas, there were few significant advances;

(iv) the same movement is indicated by the item “extinction or limitation of overtime”, where attention is drawn to the considerable increase in this issue, especially in 2006 (31.4%). However, despite the greater

prominence, the incidence of this claim within the trade union movement is still relatively low, as we will see in this section.

The CUT itself, however, was quite timid in relation to the disputes over working time in the country. Based on the content of the resolutions approved in its CONCURTs, Freitas (2009) elaborates the following considerations on the theme of working time: (i) CUT’s concern continued to be based on the perspective of reducing the weekly working day, without the corresponding reduction of wages<sup>26</sup>; (ii) in the case of the issue of overtime, the CUT continued to criticize the ineffectiveness of labor legislation, in order to

26. Among the main themes used by the Central, the question of employment and the question of free time remained. However, in contrast to the proposal defended by the Central in the 1990s (of reducing the working day to 40 hours a week, without the corresponding salary reduction and, sometimes, including the abolition of overtime), it is notorious to observe an innovative proposal of reduction in the weekly working time that occurred in the 8th CONCURT, when a resolution was approved proposing the conversion of part of the working day into hours dedicated to the literacy of workers. As for the relationship with free time, the CUT was unable to re-establish the idea of good living, focusing on the demand for linking the reduction of working hours with the creation of jobs (FREITAS, 2009).

seek to effectively restrict the large volume of overtime practiced in the country <sup>27</sup> and (iii) furthermore, the absence of a position CUT's most critical view of vacations, parental leave and workers' retirement <sup>28</sup>.

Therefore, despite the continuity of the hegemonic proposal basically residing in the reduction of working hours with a view to generating jobs, it was possible to observe, in its last Congress (10th CONCUR), carried out by the Central in 2009, suggestions of struggles, to a certain extent, original, even if they have not been concretely made viable<sup>29</sup>. Undoubtedly, these are more significant proposals in relation to the real movement that has been taking the flexible working day in the country. However, practically none of them managed to gain greater expression until then.

It is clear, therefore, that even though the trade union movement has, to a certain extent, been reinvigorated, this would help to

27. If in 2000, in the 7th CONCUR, there was a more effusive proposal around establishing a national campaign with its affiliated unions to end the Bank of Hours and Overtime, however, in the 8th CONCUR, one sees that the predominant proposal is again that of reducing the working day, without reducing wages and limiting overtime. And the same happens in 2006, in the 9th Congress. However, in 2006, the CUT issues a document that broadly discusses what the Central thinks about overtime and how this affects its entire base of affiliated unions. In such a document, the maintenance of the same criticisms is clear, although supported by more systematic studies, reflected in the content of its last Congresses, with the exception of the 7th CONCUR (FREITAS, 2009).

28. Despite the understanding that the status of vacations and leaves should be thought of as fundamental social rights, little has been discussed in the recent period about the perspective of extending the period of vacations or parental leaves. Only with regard to maternity leave, there was a proposal to forward a law to the National Congress that extends the licensed period to 160 days. In the case of retirement, in its public pension proposal, approved in its 8th National Congress, the Central started to defend that the system should have a contributory character. In its 9th Congress, the Central once again approved specific questions about retirement – linked to working time – proposing: the approval of a law for the universalization of social security rights, actions with the Ministry of Social Security regarding the limitation of time for retirement of the special insured person, special retirement for teachers, special retirement for civil construction, post office and electricity sector workers. From the Lula Government, with regard to the minimum time to retire, the CUT started to defend the maintenance of the minimum age approved in the reform of the FHC Government, contained in EC n° 20. Likewise, it remained in favor of the limits of Retirement for time of service.

29. In this Congress, the CUT pointed out some initiatives to be considered, such as: the proposal of a new working hours model for the energy and oil sectors, which takes into account the most favorable redistribution of working time for the worker and its respective reduction the intensity; the idea of adopting an activity-hours regime aimed at carrying out the work of the country's educational activity; the extension of the rights constituted to domestic workers, guaranteeing a stipulation regarding working hours and vacation pay, among others; concern with the hours worked by young Brazilians, through the struggle to reduce their working hours to be compatible with more hours of study, without reducing wages and, finally, highlights the importance of paying attention to the advancement of diseases occupational, in the sense of seeking to reinforce union action in the workplace and branches of activity and in institutional spaces, with a view to establishing greater regulation regarding prevention and greater reparation for damage caused by work. In addition, for the first time, a proposal appears that aims to combat work on Sundays and holidays.

explain very little the prospect of an apparent reduction in hours worked in Brazil, even though it has managed to achieve, in a limited way, the launch of a National Campaign on the reduction of working hours without reducing wages, starting in 2003. In the case of the CUT, there is a certain attempt to create, especially in its 10th CONCUR, new, more effective demands and also to seek re-establish the old flags regarding the working day, but, however, little progress has been made in this sense, especially when it comes to flexible distribution and the intensification of hours worked, as we will see now.

From the study carried out by Cardoso *et al.* (2011) based on data from the SACC-DIEESE, referring to the year 2009, 197 negotiation units were registered (90% of the total of collective agreements and conventions), of which the theme on working time appears in large numbers. From the point of view of the duration of the working



day, several aspects have become the target of collective negotiations, but there has been no negotiation regarding the end of overtime and at least it has not even been possible to establish its limitation. In addition, in many of them there was a predominance of linking the reduction of working hours with its flexibility.

When it comes to the distribution of the workday, the issue of the bank of hours and on-call stands out. The downgrading or even the relaxation of some conquered rights was observed, but the biggest target of negotiation was in relation to the bank of hours<sup>30</sup>, and the union movement was not able to effectively guarantee clauses that were at least somewhat more favorable to its members' interests.

With regard to work intensity, only 43 clauses were recorded, present in 33 negotiation units (19% of negotiations), which somehow ensure the maintenance of workers impacted by technological innovations through job reassignment and/or training. However, there were no achievements in relation to the impacts on working time resulting from innovations; clauses dealing with the issue of polyvalence are also absent. There is only one clause (in the oil workers' collective agreement) that relates the impacts of technological changes to workers' health and safety.

This is indicative, therefore, of the immense difficulty encountered by the main trade union organizations in combating the trend towards the intensification of labor in Brazil, as well as the flexibilization of the working day. It is essential to consider both the lack of implementation of more daring

and combative strategies of struggle as well as the inability to mobilize broader sectors of society around this aspect.

If the most favorable scenario for the organized action of the working class, in the 2000s, revealed enormous difficulty in the scope of advances and conquests around working time in Brazil, the reality of the last two years (2014 and 2015) - marked by the return significant unemployment and lower wages and labor rights - ended up strongly influencing the negotiation of working hours, especially with the edition of the Employment Protection Program, by the Dilma government<sup>31</sup>.

In these terms, the reduction of working hours, with the corresponding wage reduction, is the main adjustment mechanism in the face of the crisis faced by the country, with a view to maintaining the volume of jobs in some specific sectors of economic activity. This way, the Brazilian trade union movement finds itself even more distant from its historical claims of struggle around the reduction of working hours in the country.

## FINAL CONSIDERATIONS

Working time in contemporary capitalist societies has undergone significant changes in its three fundamental aspects: duration, distribution and intensity. By virtue of a better adaptation to the new conditions governed by the expanded reproduction of capital, the capitalists took advantage of the conformation of irregular working hours throughout the year and the creation of new organizational methods and technological innovations that culminated in the expansion,

30. In order to have a concrete idea of the scope of this regime in Brazil, in 2009 almost half (96 negotiations) of agreements and collective agreements presented some contractual device dealing with criteria used by working hours compensation systems (CARDOSO *et al.*, 2011).

31. The year 2015 was a decisive milestone in the union struggle for working hours in the country: this is what can be seen with the Employment Protection Program, edited by the government through Provisional Measure 680, which allows for a reduction in wages of up to 30 %, with a proportional reduction in working hours. According to the proposal, resources from the Worker Support Fund (FAT) will be used to complement half of the wage loss. The MP was signed by President Dilma and had the support of businessmen and leaders of Força Sindical and CUT.

intensification and greater variability of the time in which workers are available to carry out their work.

In the case of Brazil, these trends gained weight from the 1990s onwards and tried to remain, to a large extent, throughout the 2000s, despite the apparent change with regard to the execution of overtime hours. We suggest, through numerous elements, that it would be relevant to proceed with a certain relativization in relation to the trend of reduction and standardization of the working day in the country, mainly due to the continuity of the process of flexibilization and intensification of the working day.

Indeed, in view of the perpetuation of the transformations that occurred with working time in Brazil, the union movement encountered many difficulties

in sustaining strategies of fights contrary to the advancement of flexible working hours. Among other examples, it failed to reduce the workday to 40 hours per week, failed to end or, at least, impose limits on the execution of overtime, failed to bar or negotiate clauses, in more favorable terms, referring to the Bank of Hours, it did little in the sense of confronting the flexibilization of the working day and almost nothing was achieved in relation to the intensification of work.

Finally, in view of the ongoing economic and political crisis in the country over the last two years, the trade union movement ended up turning to negotiating the reduction of working hours - increasingly flexible and intensified - with the corresponding wage reduction, revealing, even then, the complete abandonment of their historic struggle claims.

## REFERENCES

- BALTAR, P. et al. *Trabalho no governo Lula: uma reflexão sobre a recente experiência brasileira*. Global Labor University Working Papers, nº. 9, maio, 2010.
- BARBOSA, N.; SOUZA, J. A. P. *A inflexão do governo Lula: política econômica, crescimento e distribuição de renda*, 2010.
- CALVETE, C. S. *Redução da jornada de trabalho: uma análise econômica para o Brasil*. Campinas: UNICAMP - IE (Tese, doutorado em Economia), 2006.
- CARDOSO, A. C. M. *Tempos de trabalho, tempos de não-trabalho: disputas em torno da jornada do trabalhador*. São Paulo: Annablume, 2009.
- \_\_\_\_\_. et al. *Tempo de trabalho no Brasil: o negociado e o não negociado*. In: XII ENCONTRO NACIONAL DA ABET, 2011, João Pessoa. Anais ABET – XII Encontro Nacional. João Pessoa: ABET, 2011.
- DAL ROSSO, S. *A jornada de trabalho na sociedade: o castigo de Prometeu*. São Paulo: LTr, 1996.
- \_\_\_\_\_. *El tiempo de trabajo en América Latina y Caribe*. In: Congreso Latinoamericano de sociología del trabajo, 3., Buenos Aires. Anales del III Congreso de ALAST. Buenos Aires: ALAST, 2000. v. 1.
- \_\_\_\_\_. *Longas jornadas: O Tempo de Trabalho na construção da sociedade brasileira*. Guanacuns: Rev. Faculdade de Educação e Ciências Humanas de Anicuns. FECHA/FEA, Goiás. N.º03/04, 27-62, Nov. 2005/ jun. 2006.
- \_\_\_\_\_. *Mais trabalho: a intensificação do labor na sociedade contemporânea*. São Paulo: Boitempo, 2008.
- DEDECCA, C. S. *Racionalização econômica e trabalho no capitalismo avançado*. Campinas: UNICAMP – IE (Coleção Teses), 1999.
- \_\_\_\_\_. *Tempo, trabalho e gênero*. In: COSTA, A. A. et al. *Reconfiguração das relações de gênero no trabalho*. São Paulo: CUT, 2004.

FERREIRA, J. O. de S. *A regulação pública da jornada de trabalho brasileira*. Campinas: UNICAMP - IE (Dissertação, mestrado em Economia), 2004.

FREITAS, R. A. *Tempo de Trabalho no Brasil: intensificação e alongamento*. In: VI CONGRESSO LATINOAMERICANO DE SOCIOLOGIA DEL TRABAJO, 2009, Cidade do México. Anais ALAST – VI Congresso. Cidade do México: ALAST, 2009.

GALVÃO, A. O movimento sindical no governo Lula entre a divisão e a unidade. In: *VI Congreso de la Asociación Latinoamericana de Sociología del Trabajo*, 2010, Cidade do México.

\_\_\_\_\_. *et al. Brasil: o movimento sindical e popular na década de 2000*. Observatório Social de América Latina, v. 26, 2009, p. 35-55.

HARVEY, D. *Condição pós-moderna*. São Paulo: Edições Loyola, 1993.

IPEA. *Trabalho e tempo livre*. Sistema de Indicadores de Percepção Social (Relatório), 2012.

\_\_\_\_\_. Indicadores de mobilidade urbana da PNAD de 2012. Comunicado da Presidência, nº. 161, 2013.

KREIN, J. D. *Tendências recentes nas relações de emprego no Brasil (1990-2005)*. Campinas: UNICAMP – IE (Tese, doutorado em Economia), 2007.

KREIN, J. D. *et al. Trabalho no governo Lula: avanços e contradições*. In: XII ENCONTRO NACIONAL DA ABET, 2011, João Pessoa. Anais ABET – XII Encontro Nacional. João Pessoa: ABET, 2011.

KREIN, J. D. As controvérsias das negociações coletivas nos anos 2000 no Brasil. In: OLIVEIRA, R. V.; BRIDI, M. A.; FERRAZ, M. (Orgs.). *O sindicalismo na era Lula: paradoxos, perspectivas e olhares*. 1ª. ed. Belo Horizonte: Fino Traço, 2014.

LEE, S. & McCANN, D. & MESSENGER, J. C. *Duração do trabalho em todo o mundo: tendências de jornada de trabalho, legislação e políticas numa perspectiva global comparada*. Genebra: OIT, 2009.

OIT. *Key Indicators of the Labour Market*, 2011. Disponível em <http://kilm.ilo.org/kilmnet/>.

OIT. *Perspectivas sociais e de emprego no mundo: mudanças nas modalidades de emprego*. Genebra: OIT, 2015.

RÁO, E. M. *O tempo de trabalho no Brasil contemporâneo (1990-2009): a duração da jornada de trabalho*. Dissertação de mestrado. IE-UNICAMP, 2012.