

# Scientific Journal of Applied Social and Clinical Science

Acceptance date: 20/09/2024

## **PUBLIC INTEGRITY AND LABOR RIGHTS IN BRAZIL: THE ROLE OF COMPLIANCE IN THE DISMISSAL OF PUBLIC EMPLOYEES OF MIXED ECONOMY COMPANIES**

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**Abstract:** This article explored the role of *compliance* in guaranteeing public integrity and labor rights in Brazil, with a focus on dismissals of public employees in mixed-capital companies. The Supreme Court's (STF) decision in Extraordinary Appeal (RE) 688267 was highlighted as an important milestone in protecting the rights of public employees in state-owned companies, requiring motivation for unmotivated dismissals. However, the effective implementation of *compliance* programs to deal with such dismissals faces challenges, including resistance to change, complexity of labor legislation and ensuring impartiality. It is suggested that mixed-capital companies make a solid commitment to public integrity and labor rights by adopting policies and practices that promote compliance with legislation and ethical standards. The limitations of this research include the limited approach to the practical challenges of implementing *compliance* programs and the lack of specific case studies. As suggestions for future work, we recommend further investigation of the challenges faced by public organizations in implementing compliance programs and the study of practical cases to better understand effective practices.

**Keywords:** *Compliance*. Public Integrity. Labor rights in Brazil. Unmotivated dismissal. Mixed Economy Companies.

## INTRODUCTION

In the contemporary scenario, the discussion around public integrity and labor rights in Brazil has intensified, especially given the need to promote an organizational culture based on ethics and transparency. In this context, mixed-capital companies, as an integral part of the public sector and the labor market in Brazil, play a crucial role in conducting their operations with integrity and in compliance with current laws and regulations.

The recent decision by the Federal Supreme Court (STF) in Extraordinary Appeal (RE) 688267, which determined that mixed-capital companies have a legal duty to provide formal reasons for dismissing public employees with regard to labor rights. This decision is a significant milestone in the legal understanding of labor relations in state-owned companies and highlights the need to rethink personnel management processes and implement measures to ensure compliance with these fundamental principles.

A culture of integrity transcends mere compliance with laws and regulations; it is a moral and ethical commitment that must permeate all layers of an organization, from top management to operational employees. A solid organizational culture of public integrity implies the adoption of policies and practices aimed at preventing corruption, guaranteeing transparency in institutional relations and promoting accountability to society.

In the context of Brazilian labor rights, integrity is manifested in the protection of workers against abusive practices, discrimination and arbitrary dismissals. The STF's decision reinforces the need to ensure that dismissals of civil servants have reasonable grounds, guaranteeing compliance with the Principle of Transparency.

Given this context, it is essential to analyze the role of *compliance* in promoting public integrity and safeguarding labor rights in state-owned companies, especially with regard to dismissals without just cause. This study sets out to critically analyze these issues, seeking to identify the challenges and opportunities in implementing *compliance* programs aimed at guaranteeing legality, ethics and transparency in labor relations in state-owned companies.

## THEORETICAL BACKGROUND

Building a solid conceptual basis is fundamental to understanding the pillars on which the implementation of *compliance* and public integrity programs in organizations is based, especially in the context of mixed-capital companies. In this chapter, we will explore the essential concepts of *compliance* and integrity, highlighting their interrelationships and importance for promoting an ethical and transparent organizational culture that complies with laws and regulations.

With the advent of international standards recommending *compliance* procedures, Law 12.846/2012, known as the Brazilian anti-corruption law, and Decree 11.129/22, which provides for the administrative and civil liability of legal entities for acts against the national or foreign public administration, *compliance* and integrity programs have become a reality in Brazilian companies, whether public or private.

The terms *compliance* and integrity have been gaining more and more ground in the Brazilian political scene. Originating in the English idiom “to comply with”, the term *compliance* is basically understood as compliance with rules and regulations with the aim of avoiding the practice of illicit acts by the company and all those who make it up. Corporate integrity, on the other hand, is related to behavior that is upright, correct, honest and against corruption. As part of the values that make up the corporate philosophy, *compliance* and integrity underpin ethical and anti-corruption programs and procedures. Brazilian society is facing profound behavioral changes in government and business procedures and conduct. Anti-corruption movements are the main drivers of this change. Corruption scandals such as Mensalão, Operations Lava Jato and Zelotes, with the consequent imprisonment of major executives and professionals in senior management positions in Brazil, have been essential in justifying the rescue of the ethical stance of corporations (Silva, 2024, p.130).

Integrity, as a fundamental ethical principle, refers to the quality of being upright, honest and consistent in actions and decisions, acting in accordance with moral values and principles. In the organizational context, integrity transcends mere compliance with laws and regulations, but also encompasses the adoption of ethical behaviour, the promotion of transparency and social responsibility.

For its part, *compliance*, a term originating from the English “to comply”, means to act in accordance with the rules. It is a set of practices, procedures and internal controls adopted by an organization to ensure compliance with the laws, regulations and standards applicable to its activities, as well as ethical and moral standards. *Compliance* aims to prevent, detect and correct conduct that is unethical, illegal or poses risks to the organization’s integrity (Silva, 2022).

The most effective way to avoid or minimize this liability, especially in a scenario where risks can compromise the continuity of the company, is to adopt systematic measures to prevent, stop and prevent the practice of illicit and inappropriate acts by the legal entity, its directors, managers and employees. Implementing the best *compliance* practices is fundamental to promoting integrity in organizations, whether public or private. These practices not only help to create an ethical and transparent working environment, but also protect the organization’s reputation, increase stakeholder confidence and ensure compliance with laws and regulations. Investing in a robust *compliance* program demonstrates the company’s commitment to corporate governance and social responsibility, contributing to a fairer and more sustainable market.

It should be remembered that a culture of *compliance*, guided by business decisions in line with *best practices* and procedural standards of corporate governance, is not limited to assessing “compliance with the law”. The instruction of duties in the corporate sphere also concerns incentives for new business practices, seeking to foster, through legal regulation, a true new market standard (Silveira, 2015, p. 321).

In an increasingly demanding business environment, the adoption of ethical and legal practices has become imperative for the survival and success of organizations. *Compliance* is not just a regulatory issue, but also an essential strategy that permeates all aspects of business management. It aims to ensure that companies operate in accordance with applicable laws, regulations and standards, promoting a culture of integrity and transparency. Professors Ribeiro and Diniz argue that *compliance* can be applied to all types of corporations:

*Compliance* is a strategic issue and applies to all types of organization, since the market tends to demand more and more legal and ethical conduct, consolidating a new behavior on the part of companies, which must seek profitability in a sustainable way, focusing on economic and socio-environmental development in the conduct of their business (Ribeiro, Diniz, 2015).

Although distinct, the concepts of integrity and *compliance* are intrinsically related. An organization with integrity is one that is committed to legal and ethical compliance, adopting *compliance* practices as an integral part of its organizational culture. In this sense, *compliance* is an essential tool for promoting integrity, strengthening ethical values and helping to build relationships of trust with all stakeholders.

## PUBLIC INTEGRITY AND LABOR RIGHTS

Public integrity refers to the ethical and moral commitment of government institutions to conduct their activities transparently, with integrity and in accordance with democratic principles and the interests of society. In the context of labor relations, public integrity manifests itself in the protection of workers' rights, guaranteeing them decent working conditions, safety, fair pay and respect for their dignity.

International standards, such as Convention 98 of the International Labour Organization (ILO), which deals with the Application of the Principles of the Right to Organize and Collective Bargaining, and ILO Convention 158, which deals with unfair dismissal, are examples of instruments that seek to promote public integrity in the labour field, establishing minimum standards to be followed by member states.

Labor *compliance* goes far beyond following the rules laid down in the Consolidation of Labor Laws. It extends to ethical and sustainable business management, so as not to suppress any labor rights and to create a healthy environment for workers that generates prosperity for the company (Kruppa, R. P. S.; Gonçalves, A., 2020, p.125).

In the Brazilian context, the 1988 Federal Constitution enshrines labor rights as permanent clauses, guaranteeing the protection of work as a social value and the dignity of the human person. In addition, the Consolidation of Labor Laws (CLT) and other infra-constitutional rules regulate labor relations, establishing rights and duties for both employers and employees.

## TERMINATION OF CONTRACT AND LABOR PRINCIPLES

Contract termination in the labor sphere is governed by principles aimed at protecting the worker, ensuring that fundamental rights are respected during the termination of the employment relationship. One of the most important principles is that of the continuity of the employment relationship, which seeks to ensure the permanence of the employment relationship whenever possible. This principle recognizes that unemployment has a negative impact not only on the worker, but on society as a whole, aggravating social and economic problems (Delgado, 2019). Therefore, labor legislation tends to make it more difficult to dismiss without just cause, requiring relevant reasons for breaking the contract.

Another relevant principle is that of presumptions favorable to the worker. This principle is based on the recognition that the worker is the most vulnerable party in the employment relationship and must therefore be protected against any arbitrariness on the part of the employer. In situations of conflict or doubt, the interpretation of the rules must favor the worker, ensuring additional protection (Delgado, 2019). This is reflected, for example, in the requirement that dismissals without just cause be duly motivated, in order to avoid arbitrary dismissals and ensure transparency and fairness in the contract termination process.

The principle of the most favorable standard also plays a crucial role in protecting workers during the termination of their contract. According to this principle, between two or more applicable rules, the one that most benefits the worker should be adopted. This principle aims to promote social justice by ensuring that workers always get the best possible protection in each specific situation (Delgado, 2019). Thus, applying this principle during contract termination

ensures that workers are not harmed by unfavorable interpretations of labor standards, contributing to greater security and stability in the labor market.

When guided by labor principles of worker protection, termination of employment is strengthened by incorporating compliance practices, ensuring a fair and transparent process. Compliance programs help organizations to be legally compliant and have an ethical culture, requiring adequate justifications for dismissal and avoiding discriminatory practices. Thus, when labor principles are combined with compliance, it is possible to adequately protect workers, increase trust between employers and workers and increase corporate social responsibility. It also ensures that decisions on termination are fair and transparent.

## ORIGIN OF COMPLIANCE IN BRAZIL

It is possible to say that the origin of *compliance* and the culture of integrity in Brazil dates back to the early 2000s, driven by a series of corporate and political scandals that revealed the need for more robust control and transparency mechanisms. The enactment of the Anti-Corruption Law (Law No. 12,846) in 2013 was a decisive milestone, establishing the objective responsibility of companies for acts of corruption and encouraging the creation of integrity and *compliance* programs. This movement was reinforced by international influences, such as the adoption of practices recommended by bodies like the Organization for Economic Cooperation and Development (OECD) and the implementation of standards like ISO 37001, which deals with anti-bribery management systems. These initiatives not only aimed to strengthen corporate governance, but also to promote a significant cultural change within organizations, both public and private, towards greater transparency, ethics

and social responsibility. It is noteworthy that some of the major scandals in Brazil have in some way motivated the advancement of *compliance* and integrity in the country.

Brazil's political situation has given great prominence to the ideals of *compliance* and corporate integrity. Large companies have constantly been seen in scandals involving public authorities and acts of corruption. And in Brazil, there are not a few cases, but scandals such as Mensalão (2005)<sup>6</sup>, Operação Sanguessuga (2006)<sup>7</sup>, Operação Navalha (2007)<sup>8</sup>, Caso Erenice (2010), scandals in the Ministry of Transport (2011), Mafía do ISS (2013), Cartel do Metrô de São Paulo (2013), Petrolão (2014) and Operação Lava Jato (2014-2021) stand out, which have contributed to the international image of Brazil as a country that makes little progress in the fight against corruption. (IPC2020, 2021) (PETRY et al, 2021, p. 4.338). In the press, leniency agreements have been signed, for example, in the Lava Jato operation, based on Law No. 12.846/13 (Silva, 2023).

Author Luiz Fernando Lucas argues that integrity presupposes incorruptibility of character, values, thoughts, words and actions; he also defends integrity as a principle. According to him, the principle of integrity is what leads human beings, through their own conscience, to follow the path that will lead to a state of integrity through their words, actions, omissions, attitudes and decisions (Lucas, 2020). The former chief minister of the Federal Attorney General's Office, responsible for the foreword to Professor Marcelo Zenkner's work, states that the absorption of integrity is a contemporary agenda for rapid sustainable growth, which depends on profound cultural transformations (Zenkner, 2019).

## THE IMPORTANCE OF BRAZILIAN PUBLIC INTEGRITY AND COMPLIANCE IN MIXED-CAPITAL COMPANIES

In mixed-capital companies, which represent an interface between the public and private sectors, public integrity and *compliance* play a crucial role in the transparent and responsible management of public resources. The adoption of integrity and *compliance* programs in these organizations is essential to prevent deviations, fraud and unethical practices, guaranteeing the efficiency, effectiveness and legitimacy of their actions.

Thus, companies must implement labor *compliance* programs, regardless of the industry in which they operate, in order to properly manage human resources by applying the principles, rights and individual and collective obligations established by law. This process requires the essential engagement of their leaders and employees (Rabelo, 2018).

Above all else, integrity needs to be deeply sensitive to its pragmatic purpose, especially in citizens' relations with public authorities. If public officials don't clearly demonstrate their commitment to integrity, citizens are unlikely to trust them or presume good faith in their activities, even if they are not corrupt. The same author also states that government integrity therefore requires a permanent interaction between public officials and citizens, and not just something that is temporarily established in specific actions, as is the case with corruption. The necessary trust for this continuous interaction to materialize depends on the existence of an integrated set of laws and an organized, efficient, complex and multisectoral institutional structure capable of guaranteeing the absorption of the ideals of integrity by public officials and citizens. (Zenkner, 2019, p. 256)

It is therefore clear that implementing *compliance* and public integrity measures helps to strengthen society's trust in state

institutions, promoting *accountability* and *responsibility*. By adopting a proactive stance in preventing and combating corruption, mixed-capital companies demonstrate their commitment to ethics, transparency and the public interest, aligning themselves with democratic principles and the values of citizenship.

### **DISMISSAL OF PUBLIC EMPLOYEES IN MIXED-CAPITAL COMPANIES IN BRAZIL**

In the context of mixed-capital companies, which operate under the legal system of private law, there is a need to adapt to the principles of public administration, as determined by the Federal Constitution. One of these principles is efficiency, which requires management to focus on results and maximizing organizational performance. In this sense, the dismissal of employees and collaborators who do not demonstrate commitment to institutional deliveries or who perform below expectations becomes an essential measure to ensure the continuity and quality of the services provided by the entity.

Administrative efficiency therefore requires the adoption of strict performance evaluation criteria. Employees who accumulate successive recommendations for improvement or who present results incompatible with the requirements of the position may be dismissed, in accordance with the labor legislation applicable to mixed-capital companies. This process, in addition to being a way of ensuring good governance, is also in line with the principles of economy and responsibility, which are essential for optimizing the public and private resources involved in managing these institutions.

Furthermore, the possibility of dismissing public employees in mixed-capital companies is also supported by the need to adapt the workforce to the organization's demands and

strategic objectives. In a scenario of constant transformation, in which companies need to respond quickly to market changes and internal challenges, it is essential to have a workforce that meets the criteria of competence and productivity. Keeping employees who don't meet the expected standards, as well as damaging the performance of the team as a whole, can have a negative impact on the institution's image and credibility in the eyes of its stakeholders.

In this sense, performance appraisals gain strategic importance, as they make it possible to identify those who are not in line with the organizational goals and the demands of their jobs. The possibility of dismissal, therefore, should not be seen as a mere penalty, but as part of a management process focused on excellence and efficiency. It is a way of ensuring that mixed-capital companies can fulfill their role in a competitive and sustainable manner, in line with public sector guidelines and the principles of modern administration.

The dismissal of public employees in mixed-capital companies represents a sensitive point in the context of labor relations in the public sector. Historically, these employees, despite joining the public service through a competitive examination, have had their contracts governed by the CLT rules, i.e. although public employees join through the same process as civil servants, their dismissal is not subject to an administrative act. Even though OJ No. 247 of the SBDI-1 - TST previously existed, it stipulated that:

PUBLIC SERVANT. PERMANENT CIVIL SERVANT. UNMOTIVATED DISMISSAL. PUBLIC COMPANY OR MIXED-CAPITAL COMPANY. POSSIBILITY (amended - Res. no. 143/2007) - DJ 13.11.2007

I - The dismissal of public company and mixed-capital company employees, even if they were hired through a public tender, does not require a reasoned act for it to be valid;

II - The validity of the act of dismissal of an employee of the Brazilian Post and Telegraph Company (ECT) is conditional on motivation, since the company enjoys the same treatment as the Public Treasury in relation to tax immunity and execution by writ of payment, as well as the prerogatives of forum, deadlines and procedural costs.

This has always given rise to debate about the limits of the administration's power of management and the rights of employees hired through a public competition.

The decision handed down by the Federal Supreme Court (STF) in Extraordinary Appeal (RE) 688267, established the following thesis:

“Public companies and mixed-capital companies, whether they provide public services or exploit economic activity, even if in a competitive regime, have a legal duty to give reasons, in a formal act, for the dismissal of their civil servants, and no administrative process is required. This motivation must consist of reasonable grounds, but it is not required to fall within the hypotheses of just cause under labor legislation,” overruled Justices Gilmar Mendes and Luiz Fux. Justice Luís Roberto Barroso (President) will draft the judgment. Plenary, 28.2.2024.

As a result, the establishment of compulsory reasons for the unmotivated dismissal of civil servants in state-owned companies has reignited these debates. This determination consolidates a significant change in legal understanding, giving greater protection to the rights of tendered workers, while at the same time imposing an additional challenge to the management of human resources in these organizations.

The motivation required for dismissing public employees represents a step forward in the search for transparency and legality in labor relations. This measure aims to ensure that dismissals take place in a fair and reasoned manner, avoiding arbitrariness and protecting employees from possible abuses of power.

However, it is important to emphasize that the requirement for motivation should not be interpreted as an excessive limitation on the public administration's power to direct. On the contrary, it is a necessary control mechanism to guarantee a balance between the interests of the administration and the rights of workers, strengthening legal certainty and the legitimacy of dismissal decisions.

In this sense, it is essential to analyze the practical and legal challenges related to the implementation of this requirement, as well as the impacts that this measure may have on the organizational dynamics of mixed-capital companies. Understanding these aspects is fundamental to developing people management policies and practices that reconcile institutional interests with respect for workers' rights, promoting an organizational culture based on integrity and justice.

## **THE ROLE OF COMPLIANCE IN GUARANTEEING PUBLIC INTEGRITY AND LABOR RIGHTS**

In Brazil, the Securities and Exchange Commission (CVM), following the example of countries such as the United States and the United Kingdom, established through Instruction 509, of November 16, 2011, that publicly traded companies must have mechanisms for receiving complaints, including confidentially, both internal and external to the company. This determination represented a significant advance in corporate governance practices, reinforcing companies' efforts to detect and deal with misconduct and fraud. Concern about reputation has also become a priority in the country, given the situation of large Brazilian construction companies (Fiuza and Silva, 2016).

A culture of integrity in Brazilian public administration is of fundamental importance to guaranteeing transparency, efficiency and



public trust in government institutions. The adoption of ethical practices and the promotion of a culture of integrity are essential to prevent corruption, the misappropriation of resources and abuses of power, contributing to a fairer and more equitable working environment.

Implementing a culture of integrity in public administration involves several actions. Firstly, it is necessary to establish clear rules and regulations that guide the behavior of public servants. This includes the creation and dissemination of codes of conduct and ethics, which must be widely known and followed by all employees.

A culture of integrity plays a fundamental role in promoting public integrity and guaranteeing labor rights in organizations, especially in mixed-capital companies. This chapter will look at how *compliance* programs contribute to establishing an ethical, transparent organizational culture that complies with applicable laws and regulations.

It is also important to mention that the Ministry of Transparency, Supervision and Control's website usually publishes the actions of the public administration, with the aim of collaborating and encouraging companies to implement the appropriate control instruments. Suggestions for implementation can be found in the Integrity Program for Private Companies, which is practically a kind of guideline for implementing the program, or the Integrity Program for State-Owned Companies and, to top it off, you can also find an Integrity Guide for Small Businesses. This guide states that integrity is generally defined as the quality of behaving correctly, honestly and against corruption.

*Compliance* in the public sphere aims to promote integrity, transparency and accountability in the management of government resources and activities. This involves establishing policies, procedures and internal controls that prevent and detect corruption, fraud and unethical conduct.

In addition, effective *compliance* programs provide mechanisms for reporting and investigating irregularities, guaranteeing the accountability and responsibility of public officials.

In the context of labor rights, *compliance* works to ensure compliance with labor laws and regulations, protecting workers' rights and promoting a safe, healthy and fair working environment. This includes implementing equal opportunity policies, preventing discrimination, complying with working hours and paying fair wages and adequate benefits.

*Compliance* plays multiple roles in guaranteeing public integrity and labor rights. Firstly, it promotes a culture of compliance and ethics, making employees aware of the importance of complying with laws and internal regulations. This reduces the risk of misconduct and strengthens the organization's reputation and credibility with stakeholders.

In addition, *compliance* programs establish internal controls that monitor and evaluate compliance with policies and procedures, identifying and correcting any deviations. This helps to prevent harmful practices and mitigate the risks of non-compliance, protecting both the organization and its employees.

Another important aspect is *compliance's* educational and training role, providing training and guidance on employees' rights and responsibilities, as well as on internal procedures related to integrity and labor rights. This empowers employees to act in accordance with ethical and legal principles, strengthening the culture of integrity and respect for human rights.

Finally, *compliance* acts as an accountability and transparency mechanism, providing reports and evidence of compliance to regulatory authorities and society in general. This demonstrates the organization's commitment

to public integrity and respect for labour rights, strengthening its legitimacy and trust with the public.

In short, *compliance* plays a crucial role in guaranteeing public integrity and labour rights, providing organizations with the tools they need to operate ethically, transparently and responsibly, in line with democratic principles and society's fundamental values.

### **CHALLENGES IN IMPLEMENTING COMPLIANCE PROGRAMS FOR DISMISSALS OF PERMANENT EMPLOYEES**

The implementation of *compliance* programs to deal with dismissals of civil servants in mixed-capital companies faces a series of challenges ranging from operational issues to cultural and legal aspects. These challenges require a careful, multi-faceted approach to ensure that *compliance* programs are effective and achieve their objectives. Some of the main challenges faced in this context are explored below:

One of the most significant challenges in implementing *compliance* programs is resistance to change on the part of employees and managers. The introduction of new processes and procedures can be seen as an interference in existing practices, generating discomfort and distrust within the organization. In the case of dismissals of permanent employees, the requirement for motivation can be seen as a limitation on management autonomy, causing resistance on the part of managers who are used to making decisions without the need for formal justification.

Even though there is Brazilian legislation that promotes a culture of integrity, such as Decree No. 9.203 of 2017, which deals with the implementation of a governance policy within the direct, autarchic and foundational public administration. It provides that:

Art. 19. The bodies and entities of the direct, autarchic and foundational administration shall institute an integrity program, with the aim of promoting the adoption of institutional measures and actions aimed at preventing, detecting, punishing and remedying fraud and acts of corruption, structured along the following lines:

I - commitment and support from senior management;

II - existence of a unit responsible for implementation in the body or entity;

III - analysis, evaluation and management of risks associated with the issue of integrity; and

IV - continuous monitoring of the attributes of the integrity program (Brazil, 2017).

The legal environment is complex and constantly changing, which is another challenge for the implementation of *compliance* programs related to the dismissal of civil servants. Brazilian labor laws are extensive and intricate, which can make it difficult to understand and properly apply legal requirements. In addition, the interpretation of court decisions and jurisprudential precedents can vary, adding an element of uncertainty to compliance with legislation.

Ensuring impartiality and transparency in dismissal processes is key to avoiding the perception of favoritism or discrimination on the part of employees. However, ensuring impartiality can be a challenge, especially in organizations where personal and political relationships play a significant role. In addition, disclosing the reasons for dismissal can be delicate, as it involves confidential information and issues relating to employee privacy.

The successful implementation of *compliance* programs depends to a large extent on the training and awareness of employees in relation to the established policies and procedures. In the context of

dismissals of permanent employees, it is essential that managers and others involved understand the legal obligations, ethical principles and recommended practices to ensure compliance with current regulations. This requires investment in training and internal communication, with the aim of disseminating a culture of integrity and respect for labor rights. However, as pointed out by the authors Márcia Germana Alves de Araújo Lobo and Marcelo Benetele Ferreira, we must consider that:

In another vein, it is necessary to reflect on the difficulties faced by managers of small public administration bodies in having sufficient financial and human resources, given that they have lean structures and organizational charts. In other words, they don't have enough staff to spend on so many committees, councils and functions, since there are public bodies with less than twenty staff, for example, town halls, class councils, among others. They end up overburdening their civil servants with an accumulation of different activities, which demotivate them and sometimes make them resist appointments. It is a major challenge for the strategic management of these bodies to fully implement the integrity program (Lobo and Ferreira, 2022).

Finally, it is essential to establish effective monitoring and evaluation mechanisms to ensure ongoing compliance and identify any deviations or gaps in *compliance* programs. This involves implementing robust internal controls, carrying out periodic audits and systematically analyzing performance indicators related to the dismissal of civil servants. Only through constant monitoring will it be possible to mitigate risks and guarantee the effectiveness of *compliance* programs. As the authors Daniel Paulo Paiva Freitas and Luiz Alberto Blanchet state, "*compliance* is not a cost, but a deep investment in mapping and preventing risks for the benefit of the community." (Freitas and Blanchet, 2020)

In short, the challenges in implementing *compliance* programs for dismissals of permanent employees require an integrated and proactive approach that takes into account not only legal and operational aspects, but also organizational and cultural dynamics. Overcoming these challenges requires the commitment of senior management, the involvement of all levels of the organization and the adoption of practices and policies in line with the principles of integrity, transparency and respect for labour rights.

## FINAL CONSIDERATIONS

The aim of this study was to analyze the role of *compliance* in guaranteeing public integrity and labor rights, with a focus on the dismissal of civil servants in mixed-capital companies. Throughout this research, various aspects related to integrity, *compliance*, labor legislation and challenges in implementing compliance programs were addressed.

It has become clear throughout this monograph that the Supreme Court's (STF) decision in Extraordinary Appeal (RE) 688267 represents an important milestone in protecting the rights of workers who have been recruited by state-owned companies. The requirement of motivation for unmotivated dismissals not only strengthens transparency and legality in labour relations, but also promotes an organizational culture based on ethics and respect for human rights.

However, the effective implementation of *compliance* programs to deal with these layoffs faces a number of challenges, from resistance to organizational change to the complexity of labor legislation. Ensuring impartiality, transparency, employee training and constant monitoring are essential elements for the success of these programs, requiring a joint and continuous effort on the part of organizations.

In light of this, it is essential that mixed-capital companies make a solid commitment to public integrity and labor rights, adopting policies and practices that promote compliance with legislation, ethics and international human rights standards. This will not only strengthen the trust of employees and society in general, but will also contribute to the long-term sustainability and success of the organizations.

Finally, it is important to emphasize that the research carried out in this paper is only the starting point for a broader and more in-depth reflection on the issues addressed. The complexity of the challenges faced by mixed-capital companies requires a multidisciplinary and collaborative approach, involving different actors and sectors of society in the search for innovative and sustainable solutions.

Therefore, it is hoped that this study can contribute to the advancement of knowledge and the improvement of *compliance* practices in public organizations, promoting a culture of integrity and respect for human rights in line with democratic principles and the fundamental values of Brazilian society.

Furthermore, it is worth noting that the analysis of the challenges in implementing *compliance* programs was carried out based on a review of existing literature and from a theoretical perspective, which may not fully reflect the complexity of organizational practices in real life. Therefore, empirical case studies and qualitative research could complement this analysis, providing a more in-

depth understanding of the challenges faced by mixed-capital companies in implementing *compliance* programs.

Given these limitations, some suggestions for future work naturally arise. One possibility would be to further investigate the impact of the STF's decision in Extraordinary Appeal (RE) 688267 on dismissal practices and *compliance* processes in state-owned companies, through case studies and interviews with professionals in the sector.

In addition, it would be interesting to explore the best *compliance* practices in state-owned companies in other countries, in order to identify lessons learned and possible strategies that could be applied in the Brazilian context. This could be done through a comparative literature review and benchmarking with international organizations.

Another promising area for future research would be to examine the effects of unmotivated dismissals of civil servants in mixed-capital companies on employee morale and engagement, as well as on the reputation and institutional image of the organizations involved.

In short, despite the inherent limitations of this research, it is hoped that the considerations presented can provide useful insights for researchers, professionals and managers interested in deepening their understanding of the topic of *compliance*, public integrity and labor rights in state-owned companies, as well as serving as a starting point for future more comprehensive and detailed investigations.

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