



Labor and social security reform in Brazil: impacts, challenges and perspectives (2017-2025)

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SUMMARY

This article analyzes the legal, social, and economic impacts of the labor reform (Law No. 13,467/2017) and the social security reform (Constitutional Amendment No. 103/2019), in light of the normative restructuring process promoted in Brazil between 2017 and 2025. The study examines the main provisions introduced, such as the prevalence of negotiated agreements over legislation and the imposition of a minimum retirement age, discussing their repercussions on the effectiveness of fundamental social rights, union activity, and the sustainability of the social security system. The research uses a qualitative approach, based on bibliographic review, normative analysis, and empirical data from official bodies. It concludes that the reforms shifted the focus of social protection, favoring economic rationality but weakening historical guarantees. It points to the need for compensatory policies, strengthening collective bargaining, and social security inclusion measures as ways to rebalance the social protection system.

Keywords: Labor Reform. Pension Reform. Collective Bargaining. Actuarial Sustainability. Social Rights.

ABSTRACT

This article examines the legal, social, and economic impacts of Brazil's labor reform (Law No. 13,467/2017) and pension reform (Constitutional Amendment No. 103/2019), within the broader context of structural changes implemented between 2017 and 2025. It focuses on core legislative innovations, such as the predominance of collective bargaining over legislative law and the imposition of a minimum retirement age, assessing their implications for the effectiveness of fundamental social rights, union performance, and the financial sustainability of the social security system. The research adopts a qualitative approach, grounded in bibliographic review, legal analysis, and empirical data from official sources. The study concludes that the reforms shifted the axis of social protection toward economic rationality, weakening historic labor guarantees. It highlights the urgency of compensatory policies, reinforcement of collective bargaining, and measures for inclusive pension coverage as strategies to restore balance to the social protection framework.

Keywords: Labor Reform. Pension Reform. Collective Bargaining. Actuarial Sustainability. Social Rights.

1. Introduction

Starting in 2017, the Brazilian state initiated a series of structural reforms that marked...

A significant change in the legal basis of labor and social security. These transformations

They directly impacted the social protection model in place in the country. Two emblematic moments.

Key items on this agenda included the approval of Law No. 13.467/2017, known as the Labor Reform, and...

Constitutional Amendment No. 103/2019, which instituted the Pension Reform. Both represent

far-reaching and complex legislative changes, the understanding of which requires analysis.

careful consideration that takes into account not only the legal aspects involved, but also its



social and economic consequences.

In the context of labor law, the Labor Reform significantly modified the The Consolidation of Labor Laws (CLT), introducing, among other institutions, the prevalence of negotiated agreements over legislation (articles 611-A to 611-F of the CLT)¹. This normative change breaks with the traditional paradigm of legislative rigidity and maximum worker protection, shifting the A regulatory center for collective autonomy and the flexibilization of labor conditions. This change This raises important debates about the limits of this autonomy, especially regarding the protection of... fundamental rights of workers, guaranteed by article 7 of the Federal Constitution of 1988 and based on the principle of protection, one of the fundamental principles of Labor Law.

In parallel, the Pension Reform, consolidated by Constitutional Amendment No. Law 103/2019 introduced substantial changes to the legal framework of social security, modifying Criteria for retirement, age requirements, benefit calculation, and rules for public employees. These measures were adopted under the justification of seeking the financial sustainability of the system. pension reform, given the increase in actuarial deficits and the aging Brazilian population. However, this normative restructuring puts strain on fundamental constitutional principles, such as social solidarity and the dignity of the human person (articles 1, III, and 194 of the Federal Constitution)², which demands a A critical analysis of its social and legal repercussions.

It is important to highlight that these reforms go beyond simple technical solutions for the The fiscal challenges faced by the Brazilian state. They express a deeper transformation. in the country's social pact — a redefinition of the role of social rights amidst the logic of economic rationality. This movement reveals a tension between two poles: on one side, the The need to control public spending; on the other hand, the obligation to maintain and protect rights. historically achieved social rights. This tension raises questions about their real effectiveness. of the constitutional principles that underpin the organization of social life in Brazil.

Furthermore, the impact of these reforms transcends the regulatory level, directly affecting the The structure of labor and social security relations, the role of unions, and balance in negotiations. Collective measures and the social inclusion of workers and insured individuals. The flexibility foreseen in the Reform. Labor reform, while it may bring greater dynamism to labor relations, requires an apparatus. An effective institutional framework to ensure that such flexibility does not result in precarious employment or violation of... essential rights. Similarly, the tightening of social security requirements implies challenges in The implementation of social protection, especially in a context marked by regional inequalities,

¹ BRAZIL. Law No. 13,467, of July 13, 2017. Labor Reform, which amended the Consolidation of Labor Laws (CLT). Available at: http://www.planalto.gov.br/ccivil_03/ato2015-2018/2017/lei/l13467.html

²BRAZIL. Constitution of the Federative Republic of Brazil of 1988. Available at: http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.html



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socioeconomic and demographic.

In this sense, the present article aims to analyze the impacts, challenges and perspectives arising from labor and social security reforms in Brazil in the period from 2017 to 2025, through a qualitative approach based on the analysis of current legislation and in A critical interpretation of the legal system. The aim is to understand the implications of these reforms. for the protection of fundamental social rights, collective autonomy, and the sustainability of the system. social security and social justice, as well as discussing possible paths for building a A balanced and effective social protection model.

In this way, it is hoped that this study will contribute to the academic and legal debate on... to highlight the complexity and relevance of the reforms analyzed, emphasizing the need for complementary public policies that can mitigate adverse effects and promote effectiveness. of social rights in contemporary Brazil.

2. Contextualization of reforms in the Brazilian legal system

In the Brazilian context, labor law and social security represent cornerstones. essential to the democratic rule of law. This centrality was consolidated with the promulgation of the 1988 Federal Constitution, which conferred upon social rights the status of fundamental rights, as set forth in its Article 6. Furthermore, Articles 7, 194, and 201 of the Constitution outline the basic guarantees of workers and structure the social security system, highlighting the commitment of the national legal system to the promotion of human dignity and social protection.

Historically, the Brazilian legal system has adopted a social protection model. based on universality and solidarity, structured through the Consolidation of Laws of Labor Law (CLT), from 1943, which regulated labor relations for decades, and a system Social security is designed to provide protection against social risks such as illness, disability, and old age. Labor law protection has always been guided by the principle of protection, aiming to guarantee to the worker minimum conditions of dignity and balance in employment relations. According to As Sérgio Pinto Martins explains, "The right to work is a form of personal dignity and independence. A person should be treated as a person, not as a thing."³

In recent decades, the advance of economic globalization and the recurrence of crises Financial institutions have intensified the debate about the viability of social protection systems in Brazil. increasing pressure on the public budget - especially marked by the growing deficit social security - coupled with demographic changes, such as the aging population,

³ MARTINS, Sérgio Pinto. *Labor Law*. 40th ed. São Paulo: Saraiva Jur, 2024. p. 42.



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This highlighted the urgency of revising the current model. This scenario imposed on the State the challenge of seeking... Greater fiscal balance, but without sacrificing the preservation of social rights gained over time. of history, which constitute pillars of citizenship and social justice.

Within this context of structural changes and adjustments, two reforms stand out.

The Brazilian scenario from 2017 onwards. The first was the Labor Reform, established by Law No. 13.467/2017, and the second, the Pension Reform, consolidated by Constitutional Amendment No. 103/2019. Both brought about profound changes in the laws that regulate labor relations and in social security system, with direct implications for workers' rights and for the The institutional design of social protection in the country. These normative interventions marked a turning point. a turning point in the trajectory of Brazilian social policies.

The Labor Reform brought about substantial changes to the CLT (Consolidation of Labor Laws), especially regarding... to establish the prevalence of negotiated agreements over legislation (articles 611-A to 611-F of the CLT), shifting the The focus shifted from regulating working conditions to collective autonomy and negotiation between the parties.⁴ With this change, the aim was to give greater prominence to collective bargaining, promoting normative decentralization and prioritizing agreements and conventions signed between Employers and employees are seen as legitimate sources for regulating working conditions. The shift from the traditional normative axis towards collective autonomy represents a turning point. important in the structure of Brazilian Labor Law.

However, this regulatory flexibility, although presented as a mechanism of Modernization and adaptation to changes in the labor market raise significant controversies. Regarding its constitutional and material limits, negotiating autonomy cannot be interpreted... whether unrestricted or absolute, while respecting the minimum parameters ensured. constitutionally and respecting the inalienable rights of the worker, such as those relating to Human dignity, health, safety, and social protection. Collective bargaining, even if Backed by legislation, it is not authorized to suppress essential guarantees that structure the core. The hard part of fundamental social rights. Thus, although the importance of negotiation is recognized. Collective bargaining as an instrument for the democratization of labor relations cannot serve as a means of negotiation. deregulation of inalienable rights or as a factor in the precariousness of working conditions.

The Pension Reform, in turn, brought profound changes to the structure of Brazilian social security system. Among the main changes, the definition of an age stands out. minimum retirement age, the increase in the required contribution period, and the restructuring of method of calculating benefits. These measures were not merely technical adjustments: they reflect a an attempt to adapt the system to new demographic realities - such as progressive aging.

⁴ BRAZIL. Consolidation of Labor Laws, articles 611-A to 611-F, introduced by Law No. 13.467/2017. Available at: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/l13467.htm



of the population - and to increasingly severe fiscal constraints, seeking to ensure sustainability.

Financial and actuarial aspects of social security in the long term.

However, such changes create tension between the constitutional principles of solidarity, the dignity of the human person and social justice (articles 1, III, 194 and 201 of the Federal Constitution), and the need to contain public spending.⁵ It is therefore essential to understand the reforms as expressions of a normative restructuring process that simultaneously reflects the search due to economic rationality and the challenges of preserving social rights.

In this scenario, the reforms represent much more than simple legislative adjustments - they point to a complex process of redefining the Brazilian social contract. Amidst this transformation, the clash between the historically socially-oriented tradition becomes evident, expressed in Labor Law and Social Security, and contemporary demands for greater rationality and economic efficiency. This context presents a challenge to the legal system. The central question: how to ensure the effectiveness of social rights, which are pillars of justice and citizenship, without compromising the financial viability of the protection systems that support them?

3. Analysis of the labor reform (Law No. 13.467/2017)

Law No. 13,467, of July 13, 2017, also known as the Labor Reform, promoted one of the most profound transformations in the Consolidation of Labor Laws (CLT) since its creation in 1943. Its main scope has been to restructure the regulation of relations labor laws, incorporating mechanisms aimed at contractual flexibility and valuing negotiation. collective, review of classic social protection institutions and redefinition of rights and duties in labor relations¹.

Among the main changes brought about by the reform, the most notable is the establishment of the principle of negotiated agreements prevailing over legislation, enshrined in articles 611-A to 611-F of the CLT⁶. This principle allows collective bargaining agreements and conventions to have greater normative force than... legislation in various aspects of the employment relationship, provided that it does not contradict the rights labor laws of a constitutional nature. This modification shifts the central focus of labor regulation. From state norms to the sphere of collective autonomy, expanding the protagonism of entities. trade unions. Among the topics that could now be freely agreed upon through instruments. Collective agreements include: working hours, time bank, meal break, vacation installments, Compensation based on productivity and a career and salary plan.

5 BRAZIL. Constitution of the Federative Republic of Brazil, arts. http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm

1st, III, 194 and 201. Available at:

6 BRAZIL. Consolidation of Labor Laws (CLT), articles 611-A to 611-F. Available at: http://www.planalto.gov.br/ccivil_03/decreto-lei/Del5452.htm. Accessed on: July 3, 2025.



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The adoption of this negotiation logic was based on the argument that...

Workers, represented by unions, can agree on conditions that are more adapted to the reality of...

each category or sector, breaking with the centralized and uniform regulatory model. However,

This flexibility raises concerns about the possibility of agreements being reached that, although

formally valid, but materially harmful to the worker, especially in contexts

weakened union representation or imbalance between the parties. Therefore, the CLT itself,

Article 611-B establishes a list of non-waivable rights, that is, clauses that cannot be...

reduced or eliminated even through collective bargaining, such as the minimum wage, the thirteenth salary

Third, paid weekly rest and maternity leave.

Another relevant aspect of the Labor Reform consisted of the introduction and modification of

contractual modalities aimed at making labor relations more flexible, adapting them to

contemporary economic and technological transformations. Law No. 13.467/2017 established the contract

intermittent work, as provided for in article 443, §3, and regulated by article 452-A of the CLT,

allowing for the discontinuous provision of services, according to the employer's demand, with

Proportional remuneration and minimum guarantees for each period of activity.

The teleworking regime was also formalized, as regulated in articles 75-A to 75-E of the...

CLT⁷, which now includes an explicit provision regarding the provision of services outside of physical premises.

from the company, requiring a clear contractual stipulation regarding responsibility for infrastructure,

equipment, work schedule control, and worker health and safety conditions. In the same

As part of the flexibilization movement, the part-time work contract was expanded through...

Amendment to Article 58-A, allowing work schedules of up to 30 hours per week without overtime, or 26 hours.

with up to six additional hours, making the contract more compatible with different profiles of

workers.

Vacations were also subject to reform: article 134, §1, now allows for their

division into up to three periods, with minimum limits defined by law and subject to agreement of

employee. Finally, the break during the workday, regulated by article 71, §3, became subject to

Reduction to up to 30 minutes through collective agreement or convention, making the break more flexible.

mandatory within the daily work schedule. These regulatory innovations reveal the legislator's intention to

to provide greater contractual adaptability, even though they require vigilance regarding their application.

Specifically, this is especially true given the risk of undermining historical worker guarantees.

The reforms were designed with the purpose of making labor legislation more

adaptable and aligned with the transformations of the contemporary economy — a reality marked by

Fast pace, technological advancement, and new forms of productive organization. However, this

⁷ BRAZIL. Consolidation of Labor Laws (CLT), articles 75-A to 75-E. Available at: http://www.planalto.gov.br/ccivil_03/decreto-lei/Del5452.htm. Accessed on: July 3, 2025.



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The easing of restrictions has raised significant criticism, especially regarding the reduction of... legal protection offered to the worker. By transferring this to the sphere of negotiation — often marked by asymmetries between the parties — issues that were previously ensured by rules imperative measures jeopardize the principle of protection that historically underpins the Law of Work. This principle can be weakened if collective autonomy is exercised without mechanisms. Control materials capable of ensuring balance and fairness in labor relations.

The Labor Reform also brought about significant changes in the union structure. One of the most impactful points was the transformation of union dues: previously mandatory, it became optional. This change directly affected the funding of trade unions and, consequently, its ability to act effectively in defending workers. The proposal stems from the notion that unions with greater engagement and representation would attract contributions. However, this logic did not materialize uniformly. In several categories, the drop in revenue has seriously compromised their capacity for collective bargaining. For professionals, the drop in revenue has seriously compromised their capacity for collective bargaining. Monitoring agreements and union action in addressing inequalities in labor relations. work — deepening, in many cases, the asymmetry between employers and employees.

Furthermore, the legal and social effects of the reform are the subject of ongoing controversy. The decrease in labor lawsuits, observed after the new legislation came into effect, was interpreted by some sectors as a sign of greater legal certainty. However, others point out that the reduction in litigation was due more to barriers created to access to Labor Courts — such as the imposition of court fees, attorney's fees, and restrictions on legal aid — than for effective out-of-court settlement of conflicts. Thus, the reform is criticized not only for its content, but also its form of implementation and its practical effects, which still require rigorous empirical monitoring.

Since the 2017 Labor Reform, the landscape of labor relations in Brazil has changed. Quite a lot. We moved away from a more protective model, where the worker was seen as someone who needed to be constantly monitored, in order to have a more flexible format based on negotiation between the parties involved. The idea is to make the world of work more modern and adaptable to different realities. But this change also brings a responsibility: it is necessary to keep an eye out to ensure that rights are respected. Fundamental workers' rights continue to be respected. The great challenge today is to find a balance between relaxing the rules and maintaining a solid foundation of protection that guarantees dignity and the essential rights of those who work.

4. Analysis of the pension reform (Constitutional Amendment No. 103/2019)

Constitutional Amendment No. 103/2019 introduced structural changes to the system. Brazilian social security system, imposing stricter requirements for retirement, both in the General Regime.



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Social Security (RGPS) as well as in the Special Regimes (RPPS). To access retirement, A minimum age requirement (65 years for men; 62 for women) was introduced, along with a minimum contribution period. minimum contribution period (20 years for men and 15 for women in the General Social Security System). This change eliminated Retirement is now based exclusively on length of service, making its granting conditional on... simultaneous fulfillment of these criteria. The standard also redefined the calculation basis, considering the average of all contributions since July 1994, combined with an initial percentage of 60%, plus 2% for each year exceeding the minimum time period. This standard, while intended to reduce the pension deficit, results in a decrease in the value of benefits for a large portion of the insured.⁸

The changes to the pension rules were justified by the need to organize the public finances and ensuring the system remains sound in the future. This has become even more This is urgent given the increasing deficit in the Social Security system and the demographic changes that Brazil is undergoing. facing the challenge of fewer births and more people living much longer. However, Experts point out that, in practice, these reforms ended up significantly reducing the benefits, which raises a real concern: how to ensure that retirees continue to receive them? A decent income? This scenario reignites the debate about how to balance the financial health of the system. with the responsibility of protecting those who need it most.

With regard to public servants, the unification of rules has brought them into line with the requirements of RGPS, requiring a minimum age, 25 years of contributions, 10 years in public service and 5 in... Permanent position. Full benefits and parity remain restricted to those who joined before December 31, 2003. Special regimes, such as those for teachers and police officers, have become only partially accessible. with stricter criteria, while maintaining some flexibility, but under more restrictive rules. A Standardization seeks equity between systems, but ignores occupational and regional specificities. generating debates about social justice and regulatory adequacy.

The changes to the pension rules are already being felt clearly and immediately. especially for those with unstable employment ties, who started working very young, or who live in regions with low life expectancy. For these people, meeting the new requirements has become a difficult task — and this only deepens social inequalities and makes old age even more vulnerable. A worrying example is article 26, paragraphs 2 and 5, which reduced the value of retirement benefits by Permanent disability. For many specialists and companies that work with social security expertise, This change represents a step backward, as it is unfair and disproportionate. It goes against principles.

The most worrying aspect, according to experts, is the failure to propose compensatory measures or Flexibilities that guarantee the minimum protection expected by society. The absence of mechanisms that preserve the rights of those who were close to retirement before the reform, without rules.

8. **Criteria for access and calculation of benefits** – Constitutional Amendment 103/2019: Article 26 and minimum age and contribution time provisions – Source: Planalto – Constitutional Amendment No. 103/2019. Accessed on: July 3, 2025.



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Effective transition methods in calculating benefits violate the principle of legal certainty and the protection of...

The insured's trust, as observed by legal scholars who advocate for the prohibition of...

Social regression. This regulatory limitation weakens the social security agreement and transfers the burden to the retiree.

The burden of rebuilding their contribution expectations, without acceptable margins.

Finally, the critical analysis shows that EC 103/2019, despite being technically aligned with

an austere and necessary actuarial logic still does not adequately balance the two poles that

The foundations of the Welfare State are: financial sustainability and the guarantee of human dignity. The challenge

The contemporary challenge lies in the formulation of complementary public policies — such as incentives for

Formalization, differentiated regional regimes, and solidarity-based social security mechanisms - capable of

To correct distortions, preserve the essential core of social protection, and ensure the three pillars of social security.

(art. 194 of the CF) in its entirety.

5. Social and economic impacts of the reforms

The labor reform (Law No. 13.467/2017) and the social security reform (Constitutional Amendment No.

103/2019), promoted under the justification of legislative modernization and fiscal balance, operated

a profound shift in the constitutional model of social protection. Anchored in a logic of

Cost rationalization and more flexible guarantees: these reforms have substantially altered...

the content and applicability of social rights, especially those provided for in articles 6, 7 and 194 of the Federal

Constitution⁹, compromising, in certain aspects, the effectiveness of the dignity of the human person as

the foundation of the Democratic Rule of Law (art. 1, III, CF/88)¹⁰.

In labor law, the adoption of the principle of negotiated agreements prevailing over legislation.

(Articles 611-A and 611-B of the CLT) represented a shift in the protective framework of Labor Law.

By allowing collective agreements and conventions to prevail over legal norms even in situations

in which traditionally protected guarantees are reduced — such as working hours, meal breaks,

Time bank and classification of the degree of unhealthiness —, There has been a significant expansion of

collective autonomy, but without proportionate mechanisms of control and institutional balance.¹¹

This change has brought legal uncertainty and exacerbated the asymmetry in labor relations.

especially in professional categories with a low degree of union organization. The reform also

It expanded the possibilities for atypical hiring, formalizing institutions such as the intermittent contract.

⁹ BRAZIL. Constitution (1988). *Constitution of the Federative Republic of Brazil of 1988*. Brasília, DF: Federal Senate, 1988. Available at: https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Accessed on: July 3, 2025.

¹⁰ BRAZIL. Constitution (1988). *Constitution of the Federative Republic of Brazil of 1988*. Brasília, DF: Federal Senate, 1988. Available at: https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Accessed on: July 3, 2025.

¹¹ BRAZIL. Consolidation of Labor Laws. Decree-Law No. 5,452/1943. Articles 611-A and 611-B, included by Law No. 13,467/2017.



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(art. 443, §3º, CLT) and telework (arts. 75-A to 75-E)¹², allowing the provision of services with intermittent, without continuity, with proportional remuneration, and excluding full protection of journey.

These changes have had a significant impact on the most vulnerable workers — such as young people, women, the elderly, people with low professional qualifications, and residents in regions peripheral workers, who have become more frequently placed in precarious employment relationships, with a reduction in income, contractual instability, and the absence of classic benefits. The weakening of union structure, caused especially by the elimination of mandatory union dues (art. 582, CLT), drastically reduced the negotiating and oversight capacity of class entities¹³, compromising the effectiveness of collective bargaining, which has paradoxically become the main instrument for regulating labor in the new regulatory model.

In the area of social security, Constitutional Amendment No. 103/2019 instituted structural changes that had an impact directly relates to the logic of social protection. The imposition of a minimum retirement age (65 years for men and 62 for women), the increase in contribution time and the change in the formula of The calculation of benefits, which now considers the average of **all** contributions, and not just the initial ones. Larger increases have significantly reduced the value of benefits, especially for workers in low income and unstable career¹⁴.

The new rules have made it more difficult to access retirement benefits due to the lack of continuity. typical contribution from informal, intermittent or unemployed workers, increasing the risk of exclusion from social security benefits. Furthermore, the elimination of retirement based on years of contribution, which did not require a minimum age, imposed more severe barriers to social protection in old age. transferring greater responsibility for their own support to the individual, without considering the regional disparities and differences in life expectancy. Although the reform was justified based on... The need for actuarial adjustments and control of public spending has significant social effects: increased dependence on welfare programs, weakening of the intergenerational pact and potential deepening of social inequalities between different economic groups and geographical.

From a broader perspective, the impacts of the reforms highlight the replacement of the model. State-protective model replaced by a paradigm centered on individual self-responsibility, with a reduction of the public role in protecting fundamental social rights. This movement reflects not only a Not a technical change in legal norms, but an ideological reorientation in the role of the State.

¹² **BRAZIL.** Consolidation of Labor Laws. Art. 443, §3; Art. 75-A to 75-E, included by Law No. 13.467/2017.

¹³ **BRAZIL.** Consolidation of Labor Laws. Article 582, amended by Law No. 13,467/2017.

¹⁴ **BRAZIL.** Constitutional Amendment No. 103/2019. Articles 9 to 26.



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Brazilian, who begins to act more as a manager of economic limits than as a guarantor of social justice. This shift compromises the construction of an inclusive development model and sustainable, and requires the legal system to provide responses capable of preserving the essential core of social rights, under penalty of practically emptying the Social State of Law.

6. Challenges and future prospects

The reforms implemented between 2017 and 2019 in Brazil represent a significant shift in the constitutional model of social protection. Under the justification of Modernization of labor relations and fiscal balance of the social security system, the changes The regulations have established a logic of flexibility and restraint that, while promoting adjustments to... From a budgetary standpoint, this raises concerns about the compatibility of its effects with the Foundations of the Democratic Rule of Law.

The relaxation of labor and social security regulations, in particular, must be observed in light of... within the limits imposed by the constitutional order, which enshrines a set of social rights with the status of an implicit entrenched clause. The effectiveness of these rights — such as protection against arbitrary dismissal, preservation of the minimum wage, access to social security on a voluntary basis. The universal right to decent working conditions cannot be relativized by arguments of a purely economic nature, under penalty of emptying the constitutionally established social order established.

In this context, the formulation of compensatory public policies capable of... becomes necessary. To respond to the exclusionary impacts of the reforms. The expansion of social security coverage, the incentives for formalizing work, professional retraining, and promoting Socially oriented micro-entrepreneurship should be integrated into an institutional strategy of confronting precarious work and rebuilding the social contract. Overcoming informality, by In turn, this depends on the adoption of tax incentives, productive microcredit programs, and mechanisms of contributory inclusion in social security systems, especially those aimed at workers self-employed, rural and intermittent workers.

One of the most delicate points of the recent changes concerns collective bargaining and Regarding the role of unions. The idea that what is negotiated can prevail over what is written. The law — as stipulated in articles 611-A to 611-F of the CLT — seems positive at first glance. But in practice, this rule alone does not guarantee more balanced labor relations. Without unions strong, representative, and financially structured, in addition to genuine democratic participation of Workers are at the center of decisions, and collective bargaining ends up losing its strength as a protective tool. Therefore, creating a more solid, transparent, and pluralistic union model is not only desirable—it is essential. indispensable for collective autonomy to truly function, without relinquishing rights.



fundamental for those who work.

In turn, the challenges facing the Brazilian social security system today are profound and structural. With the population aging and fewer people actively contributing, it becomes clear that there is an imbalance that tends to grow over time — and that cannot be resolved simply by tightening the rules for accessing benefits. To ensure that the system continues to function properly. In a fair and efficient way, it is necessary to go beyond technical solutions. The solution lies in combining economic with fair distribution of resources, keeping the social function of Social Security alive and Strengthening the commitment between generations. After all, caring for the elderly with dignity is also... Investing in a more supportive future for all.

Given the changes in the rules and the current Brazilian demographic reality, it's time to... We need to rethink how the country provides social protection. It's not enough to just adjust numbers and contain spending—it's... It is essential to reaffirm the commitment to the values that make society more just: dignity. Human development, social justice, and the reduction of inequalities. Fiscal responsibility certainly plays a role. But this cannot serve as an excuse to diminish basic rights. The future of social security in Brazil's fate will depend on its ability to find a smart balance between economic efficiency and the fundamental principles that have shaped the Welfare State since the 1988 Constitution.

7. Final considerations

This study provided a deeper understanding of the legislative transformations that occurred in Brazil between 2017 and 2019, through the labor reforms (Law No. 13.467/2017) and social security (Constitutional Amendment No. 103/2019), which redesigned the legal framework of social protection system. These regulatory changes, although justified by the need for modernization of labor relations and the pursuit of financial sustainability of the system Social security reforms have implied substantial changes in the role of the State, shifting the focus from protection. social measures to make contractual relationships more flexible and to contain public spending.

Upon further analysis, it became evident that the negotiated agreement prevails over the legislation, the expansion of flexible contractual modalities and tightening of rules for granting [benefits/loans]. Social security benefits have significantly affected the effectiveness of social rights and the human dignity, fundamental principles expressed in the Federal Constitution. These modifications They have generated unequal impacts, especially for workers in more vulnerable conditions, such as... embedded in the informal market, women, rural workers and segments with work trajectories discontinuous, contributing to increased precariousness and legal uncertainty.

The study also highlighted the weakening of union activity, a consequence of reduction of mandatory contributions and weakening of representation mechanisms, This has compromised collective bargaining as a tool for balancing labor relations.



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This situation diminishes the workers' ability to defend their rights in a scenario of...

Regulatory flexibility is exacerbating the asymmetry in employment relations.

In the area of social security, although the reforms have promoted necessary adjustments for To address the financial deficit and the demographic challenge, it was observed that the measures adopted have exclusionary effect and insufficient to guarantee the universality and solidarity that govern the system. Brazilian social security system. The increase in the minimum age, the increase in the contribution period, and the new The calculation of benefits largely transfers the burden of social protection to the individual. especially those with less ability to pay, which requires a review of policies. public policies and mechanisms for social inclusion.

For Brazil to continue offering social protection in a fair and lasting way, it will be I need to build a new pact that unites economic responsibility with respect for rights. those who need it most. This balance comes not only from numbers, but also from the direction of the public policies to include more people, empower workers, and strengthen unions and other organizations. entities that represent the population. Collective bargaining needs to gain strength as an instrument. A real change and guarantee of rights.

Finally, and above all, it is essential that the country continues to be guided by the principles that These are fundamental to the 1988 Constitution - human dignity, solidarity, and universal access to protection. Only in this way can we build a sustainable and truly just social system in The years to come will be particularly challenging, especially in a scenario as challenging as the post-2025 period.

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