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Between Technological Progress and the Dignity of Work: Constitutional Protection Against Automation

Between Technological Progress And The Dignity Of Labor: Constitutional Protection Against Automation

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Summary

This article examines the fundamental right to worker protection in the face of automation, as provided for in Article 7, XXVII, of the 1988 Constitution of the Republic, in light of the technological transformations impacting labor relations in Brazil. It analyzes the concept of automation, its effects on the labor market, attempts at legislative regulation of the matter, and the judgment of Direct Action of Unconstitutionality by Omission No. 73 by the Supreme Federal Court, which recognized the legislative delay in issuing the regulatory norm. The examination demonstrates that constitutional protection against automation is part of the system of fundamental social rights and imposes on the State the duty to ensure its realization.

Keywords: Automation; Labor Law; Fundamental Rights; Constitutional Effectiveness; Legislative Omission; Technological Unemployment.

Abstract

This article examines the fundamental right to worker protection in the face of automation, as provided for in Article 7, XXVII, of the 1988 Constitution of the Republic, in light of the technological transformations impacting labor relations in Brazil. It analyzes the concept of automation, its effects on the labor market, attempts at legislative regulation of the matter, and the judgment of Direct Action of Unconstitutionality by Omission No. 73 by the Supreme Federal Court, which recognized the legislative delay in issuing the regulatory norm. The examination demonstrates that constitutional protection against automation is part of the system of fundamental social rights and imposes on the State the duty to ensure its realization.

Keywords: Automation; Labor Law; Fundamental Rights; Constitutional Effectiveness; Legislative Omission; Technological Unemployment.

1. INTRODUCTION

The intensification of automation processes and the incorporation of advanced technologies into Production systems have brought about profound transformations in labor relations, imposing New challenges to the legal protection of employment and the effectiveness of constitutionally guaranteed social rights. insured.

In this context, the 1988 Constitution of the Republic, by enshrining in item XXVII of article 7th, the fundamental right to worker protection in the face of automation, signaled the concern of the constituent assembly with the social impacts resulting from technological advancement. However, after more Three decades after the promulgation of the constitutional text, the debate remains open regarding of the scope, normative density, and effective efficacy of this constitutional mandate.

It is from this problematic that the present article proposes to examine, from a perspective



Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

constitutional and critical, the legal, normative and social effectiveness of the fundamental right to protection in

In the face of automation, the study makes use of a broad and systematic literature review, which

It encompasses both the doctrinal production developed during critical legal periods and the literature.

specialized contemporary approach, linked to the analysis of key judgments and paradigmatic precedents.

rulings issued by the Superior Courts, particularly those arising from the exercise of control.

concentrated constitutional review.

Regarding the methodological approach, the research is organized in a progressive manner, following the logical order of the titles that structure this article.

Initially, the conceptual delimitation of the phenomenon of automation is carried out, starting from the relevant doctrinal and terminological analysis, with the aim of establishing theoretical parameters.

capable of understanding its nature, its technical distinctions, and its legal contours. Once this is overcome...

In the conceptual stage, the historical development of the automation process and its repercussions are examined.

in the workplace, highlighting how technological evolution has impacted, over time, the

modes of production and the organization of labor relations.

Next, the study turns to the panorama of the working class in Brazil, based on...

empirical data and institutional diagnoses, in order to contextualize, from a social perspective and

economic, the structural vulnerability of certain professional segments in the face of advancement

technological.

Subsequently, the analysis delves into the legal and constitutional aspects themselves, examining-

if the fundamental right to protection against automation, provided for in article 7, item XXVII, of

The 1988 Federal Constitution, from the perspective of its normative nature, effectiveness, and foundations.

fundamental principles and related state duties.

Continuing the investigation, attempts at legislative regulation of the matter are being examined, with

highlighting the main bills presented within the National Congress, evaluating-

its foundations, scope, and potential constitutional tensions.

Finally, we proceed to examine the landmark judgment of the Direct Action of

Unconstitutionality by Omission No. 73 by the Supreme Federal Court, taken as a landmark.

jurisprudence in the implementation of said right, from which critical reflections are developed.

Regarding the institutional and prospective challenges related to the effective implementation of constitutional protection.

The role of the worker in the face of advancing automation.

In this way, the aim is to contribute to the academic and legal debate on the limits,

possibilities and perspectives for realizing the fundamental right to protection in the face of

automation, especially in a context of intensified technological transformations and

Structural reconfiguration of labor relations.



2. AUTOMATION: DEFINITION

As previously announced, the 1988 Constitution of the Republic stipulated, in its article 7, paragraph... XXVII, which constitutes a right of urban and rural workers, in addition to others aimed at improvement. Given their social standing, they are entitled to protection against automation, as provided by law. However, although the Although the original constituent legislator used the term "automation," it failed to attribute to it... conceptualization or explicit delimitation of its scope, thus making use of an expression of Open and indeterminate content, a circumstance that, in theory, can lead to interpretative difficulties. and obstacles in its practical application.

In this context, in order to provide greater clarity to the subject, it is necessary to examine some... relevant doctrinal and conceptual understandings, with the aim of defining the scope of institute within the scope of the study currently being developed. To that end, we initially start from a source A classic and elementary resource for explaining the meaning of words is the Aurélio Dictionary of... Portuguese language, according to which automation consists of the "automatic system by which the "These mechanisms control their own functioning, almost without human interference" (Ferreira, 1988, p. 203).

Expanding the understanding of the term from a sociological perspective, Luciano Gallino defines automation as the set of situations in which, especially in industry, although not In an exclusive way, human labor is replaced, both physically and intellectually. by machines or servo systems — mechanical, hydraulic, pneumatic, electrical or electronic — capable of automatically executing sequences of operations of varying lengths and complexity, under The control of electrical or electronic devices of varying nature and degree of complexity.

The distinction between automation and automatization is equally relevant. In this sense, According to Francisco de Paula Ferreira (2015), automation refers, above all, to a A set of automated machines that operate independently, with human intervention. minimal or virtually non-existent, performing independent automatic operations, characterized by the mechanical repetition of movements. Automation, in turn, is characterized by integration of these operations, so that the automated machines function in a way interconnected, with the product being automatically transferred from one stage to another, each being responsible for... The machine performs part of the production process until the final result is obtained.

Thus, it can be inferred that automation relates to a complex of techniques that It allows machines to operate efficiently and in a coordinated manner, based on previously available information. embedded in their internal systems. Following this line of interpretation, the Supreme Federal Court has considering that automation refers to the use of machines in performing activities that were previously... tasks previously performed by human labor, which, due to technological advancements, have become



to dispense with the direct intervention of the worker.

Having overcome these initial, albeit introductory, but undeniably relevant conceptualizations...

To understand the topic, we will now proceed to explain the context of automation.

and its effects on the work environment.

3. DEVELOPMENT OF THE AUTOMATION PROCESS AND ITS IMPACT ON WORK ENVIRONMENT

It is widely recognized that, in recent decades — although not exclusively to

In the recent period, technological advances and the continuous development of technology,

materialized in the creation of progressively more intelligent, autonomous, and efficient machines,

capable of performing tasks previously done by humans, they have been attracting increasing interest.

social concern regarding its impacts and consequences on the labor market.

Although this topic has gained particular prominence in contemporary debate, it is important

It should be noted that this is not a new or circumstantial reflection. On the contrary, it concerns a phenomenon.

A historical account that traces the evolution of industrial and post-industrial societies, going back to

Most evidently, this occurred with the advent of the Industrial Revolution, a period in which the automation process...

Productivity was significantly boosted, providing a substantial increase in productivity.

and the maximization of capital gains in various economic sectors.

To demonstrate that the phenomenon of automation predates the modern revolution by a considerable margin.

In technological advancements, some authors highlight rudimentary inventions aimed at reducing effort.

The physical aspects of human life and assistance in performing work activities can now be understood as

embryonic manifestations of this process.

In this sense, it is pointed out that the first inventions aimed at reducing effort.

physical functions and assistance in carrying out human activities, such as the development of early human functions.

prototypes of wheels for moving loads and of windmills or mills powered by animal force,

They were already part of this process, even if they lacked the technological rigor that exists today.

employee.

Despite these early experiences, it was only from the mid-18th century onwards,

Especially in England, automation has become more central to the system.

productive, with the outbreak of the Industrial Revolution. During this period, profound changes were observed.

transformation in the mode of production: human labor ceased to be primarily focused on

The focus shifted from subsistence farming to large-scale production, aiming to increase productivity and maximize

profit. It is in this context that the first machines emerged.

industrial machines, characterized by greater precision, regularity, and efficiency when compared to

manual labor was the predominant labor method until then.



Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

The consolidation of capitalism and the advancement of the globalization process contributed decisively for the intensification of these transformations, influencing directly and indirectly the labor relations. The productivity gains and reduction in operational costs resulting from Mechanization and automation have come to occupy a central position in business strategies. Redefining the organization of work and traditional employment models.

According to Silva (2003, p. 59),

The process of economic globalization brings with it a stigma: structural unemployment. This phenomenon is characterized by the elimination of jobs in industry, as a consequence of the introduction of new technologies in production, especially the massive presence of robots in the production cycle. In developing countries, the same fact is observed, only aggravated by the inability of national industries to withstand the competition from transnational corporations. [...] workers who are no longer absorbed by modern industry end up being employed in the service sector .

However, throughout this historical process, a certain distortion of the purpose has been observed. Originally attributed to machines and technological innovations. That which was initially conceived as a means of aiding human activity has, in many contexts, come to be used as an end in itself. This, in itself, promotes the replacement of the worker and compromises their livelihood. The reality becomes even more sensitive when viewed from the perspective of *entry-level positions*, understood as initial functional positions in the organizational hierarchy, designed for individuals who are starting their professional career or transitioning to a new area, requiring little or no prior experience.

It should be noted, however, that even in the early stages of automation, such as currently conceived, technological innovations capable of controlling were already being identified. These automatically streamline various production processes. As Ferreira notes, mechanisms already existed, capable of automatically regulating heating, the operation of motors and electrical machines, and the circulation of liquids and gases, as well as devices capable of precisely measuring the operating time of blast furnaces, conducting chemical processes and fully controlling production chains in the environment. In addition to machines programmed to guide the direction with a high degree of precision in the manufacturing process, the action and trajectory of interplanetary rockets (FERREIRA, Francisco de Paula, 2015).

Given this scenario, the urgency of addressing this issue becomes increasingly evident. A critical and systematic approach to the problems arising from excessive automation is a challenge that still requires... effective measures both in the private sector and in the actions of the public authorities, according to This will be analyzed in a separate chapter of this article.

4. OVERVIEW OF THE WORKING CLASS IN BRAZIL

The landscape of concerns surrounding the accelerated advance of automation in the market of Brazilian work proves to be particularly sensitive when specificities are considered. structural issues affecting the national working class. This is a context marked by significant



Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

a contingent of workers with low levels of education and reduced professional qualifications, the which concretely increases the risk of job losses in the face of growing Replacing human labor with automated systems.

In this environment, there is a growing appreciation for roles that require a higher degree of expertise. technical specialization, as well as skills associated with logical reasoning, the ability analytical and intellectual pursuits. Although such activities are not immune to the impacts of automation, It is evident that they tend to be less affected when compared to those performed by workers whose jobs have a low level of complexity and a high degree of repetitiveness and limited cognitive demands, which prove particularly vulnerable to replacement by Machines and algorithms.

The severity of this situation can be assessed from the data released by the survey. National Household Sample Survey – PNAD (2025), published on June 15, 2025 by the Brazilian Institute of Geography and Statistics (IBGE), which paints a comprehensive picture of Brazilian educational reality. According to the survey, the illiteracy rate among people The percentage of those aged 15 to 60 years old reaches 5.3%, which corresponds to approximately 9.1 million. of individuals. Furthermore, regarding the level of formal education, the study indicates that 5.5% of The population has no schooling whatsoever, while 56% have only completed basic education. compulsory, encompassing the stages of daycare, preschool, elementary school, and high school. in accordance with the National Education Guidelines and Framework Law – LDB (Law No. 9,394/1996).

From the perspective of professional qualifications, the data also reveal significant limitations. National Program for Access to Technical Education and Employment – Pronatec, aimed at offering courses. professional qualification, even if its purpose is not to raise the formal level of Education level is an important indicator of the workforce's capacity for technical training. In this context, it is observed that, in the year 2024, approximately 569,000 people aged 14 or older will be affected. attended courses funded by the program. Although such a number may, at first glance, While it may seem significant, its proportional analysis shows that it represents only 0.8% of the total. of people who have completed, at most, high school, highlighting the still insufficient reach of Public policies for skills development in the face of the magnitude of the challenge posed by automation.

This structural vulnerability is corroborated by the conclusions of Technical Report No. 766/2019, prepared by the Federal University of Rio de Janeiro, which focuses on estimating the impact of automation on employment in Brazil⁴.

The study identifies that, among the occupations that concentrate the largest number of workers in the country and which have a high probability of suffering the effects of automation, the following stand out: administrative assistant, office clerk, retail salesperson, cleaner, positions truck driver, production line feeder, cashier, security guard and general laborer



Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026
works.

This set of data highlights a structural contradiction in the labor market. Brazilian. While a growing trend towards digitalization, automation and... is observed. Despite the intensive incorporation of new technologies, a reality marked by [the following] persists. High rates of illiteracy, school dropout, and difficulties accessing networks and platforms. Digital literacy and low levels of technical skills. This dissonance increases the risk of social exclusion and labor market for significant portions of the economically active population.

Given this context, it becomes evident that the functions predominantly occupied by Brazilian workers are precisely those most susceptible to automation, with direct impacts. and immediate consequences in replacing human labor with machines. This scenario reveals, in a way strikingly, the structural unpreparedness of Brazilian society to deal with a process of A productive transformation of such magnitude and complexity.

Not surprisingly, debates are intensifying around the need to restructure the Plan. National Education Council, in order to give greater prominence to mitigating the impacts of automation. Regarding work. In this sense, a partial overcoming of traditional teaching models is advocated. with the incorporation of multidisciplinary approaches that integrate technical training and skills Digital skills and abilities focused on innovation, creativity, and adaptability. The goal is to promote... greater alignment between educational institutions and the present and future demands of the market work, preparing individuals not only for currently existing occupations, but also for those that are yet to come.

In parallel, discussions are underway regarding the adoption of complementary measures within the framework of policies. public initiatives, such as the creation of incentives and tax benefits for companies that invest significantly impacting the qualification and requalification of its workers. The granting of Tax incentives, in this context, can foster the continuous development of capacity to Adapting the workforce, enabling processes of job reassignment or functional reallocation in within organizations and, consequently, mitigating the need for substantial contractual changes or terminations of employment contracts (SANTOS, Roseniura; SOARES, Érica. *O The right to protection in the face of automation and technological unemployment: constitutional parameters for Regulation*. In: III International Congress of Law and Contemporaneity. 2015).

5. Constitutional Protection of Labor in the Face of Automation

As stated in the introduction to this article, the right to worker protection in The face of automation was expressly enshrined by the original constituent assembly in Article 7, item XXVII, of the 1988 Federal Constitution, its effectiveness being conditional upon the subsequent enactment of a new rule. of a sub-constitutional nature. It is, therefore, a constitutional provision whose full



Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

Its applicability depends on subsequent legislative action, a circumstance that frames it under the traditional classification, as a constitutional norm of limited effectiveness.

In this sense, legal doctrine defines norms of limited effectiveness as those that lack...

Further regulation is needed so that they can produce their full legal effects. On this subject,

Virgílio Afonso da Silva (SILVA, 2006, p.33) teaches that:

These would be norms that depend on some subsequent regulation that complements their effectiveness. However, as attempted to be demonstrated in the thesis, this is a distinction based on two at least questionable points of view: (1) the belief that some norm can produce all its effects without the necessary factual, legal and institutional conditions for this is a presupposition of this first point; (2) the belief in the possibility of a strict distinction between efficacy and effectiveness .

Although criticisms of the rigid distinction between efficacy and effectiveness are acknowledged

Of the constitutional norms, it is undeniable that norms of limited effectiveness play a role.

structuring the legal system, insofar as they establish principles, guidelines and guarantees.

fundamental principles that bind the legislator and guide state action. Although they do not produce, of

Immediately, with all its concrete effects, such norms radiate normative force from the moment of promulgation.

of the Constitution, imposing on the State the legal duty to act to enable its full realization.

Thus, in establishing a rule of this category, the constituent assembly not only authorizes but also requires its enactment.

of the corresponding sub-constitutional legislation, under penalty of material emptying of the command.

constitutional. Legislative inaction, in this context, compromises the normative force of the Constitution.

and frustrates the effectiveness of a fundamental right expressly guaranteed to the worker.

This need for regulation becomes even more evident when analyzed in light of

fundamental principles that guide the Magna Carta, among which the principle of stands out.

The dignity of the human person, enshrined in Article 1, item III, of the Federal Constitution.

This principle reaffirms that all human beings, regardless of origin, race, sex,

Religion, social or economic status, should be treated with respect and consideration.

functioning as an interpretative vector for the entire legal system. Added to this is the established principle,

in sections II and IV of the same provision, regarding citizenship and the social values of work and freedom.

This initiative reinforces the need for regulation of the constitutional provision under consideration.

not only to protect the worker in the face of automation, but also to ensure their well-being.

To exist, to promote material equality, and to enable social justice.

Additionally, corroborating the understanding presented, the doctrine and jurisprudence

They acknowledge the existence of implicit constitutional principles, constructed from interpretation.

The systematic nature of the Constitution, among which the principle of prohibition of social regression stands out.

This principle imposes limits on state action, preventing further progress already achieved in

The scope of social rights may be suppressed or diminished, even under the argument of progress.

technological. In this context, even with the advances brought about by automation, one must

to ensure the worker's right to decent work, a concept defined as such by José Cláudio



Monteiro de Brito Filho:

Decent work, then, is a minimum set of workers' rights that corresponds to: the existence of work; freedom to work; equality in work; work with fair conditions, including remuneration, and that preserve their health and safety; the prohibition of child labor; freedom of association; and protection against social risks .

Given this scenario, the persistent legislative omission, which extends for almost forty years...

Years since the promulgation of the 1988 Federal Constitution, a serious mismatch is revealed between the
The constitutional text and its effective normative implementation.

Such legislative inertia takes on even more sensitive dimensions in a context of accelerated [development/processing].
Technological advancement, in which the impacts of automation on labor relations are becoming increasingly evident.
deeper and more complex. In this scenario, a critical analysis of the legislative initiatives already underway is necessary.
presented on the subject, as well as the treatment given by the Superior Courts to
prolonged omission by the legislator, which will be examined in the following section.

6. Attempts at Regulation

Among the legislative initiatives that sought to fill the regulatory gap left by
The 1988 Federal Constitution regarding automation and its impacts on labor relations.
It is important to highlight some relevant propositions in order to further this study, which
They are now being analyzed, albeit briefly.

Initially, it is worth highlighting Bill No. 1,091, dated February 25, 2019, authored by
by Deputy Wolney Queiroz (PDT/PE), who included in his text the concept of
automation, understood as "the method by which any equipment is used,
mechanisms, processes or technologies for carrying out work, or for controlling it, with
"Reduced or no human interference."

The proposal assigned to the Ministry of Labor the authority to specify the activities.
covered, also establishing the mandatory nature of collective bargaining, through
trade union entity, both for the adoption of automation and for the termination of workers' contracts.
eventually affected, especially in the time frame corresponding to the first two years of
its adoption, implementation, or expansion within the business context.

Furthermore, note is made of Bill No. 4,035, dated July 11, 2019, authored by Senator
Paulo Paim (PT/RS), through whom the theory of an automation program was outlined, with
special focus on the productive sector of goods and services. The aforementioned proposal imposed on individuals
and legal entities, regardless of their public or private nature, have a duty to observe mechanisms
of worker protection. The realization of this protection would occur, notably, through the
Prohibition of unjustified dismissal of employees, making prior collective bargaining mandatory.

for that purpose.

Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

The established guideline has sparked significant debate regarding a potential affront to social values.

of free enterprise, enshrined in Article 1, item IV, of the Federal Constitution of 1988. Notwithstanding
Given these questions, the initiative presented noteworthy aspects, especially regarding
in defense of the reuse and relocation of workers through readaptation processes,
Training for new roles and skills development, with priority given to older workers,
which tend to suffer, more intensely, the impacts resulting from technological advances.

In this context, automation was defined in the proposal text as:

[...] any process of replacing or implementing technology that implies the total or partial elimination of jobs, including those transferred to be filled by an intermediary company that hires workers, and their replacement by a process or equipment that is totally or partially automated. (BRAZIL, 2019b, p. 3).

The aforementioned project also established cumulative conditions to be observed by employers who implemented modifications aimed at automation, including
They highlight the prohibition against increasing or intensifying working hours — including through setting disproportionate goals or increasing the pace of work —, as well as the prohibition of salary reduction or the adoption of any measures likely to cause significant harm to health and to worker safety. Currently, the proposal is ready for inclusion on the agenda of Social Affairs Committee (CAS).

Later, on a related topic, it is worth mentioning Bill No. 21/2020, dated April 4th. February 2020, authored by Federal Deputy Eduardo Bismarck (PDT/CE), whose scope It consisted of establishing principles, rights, and duties for the use of artificial intelligence in Brazil. The proposal introduced structuring concepts for future regulatory frameworks, such as artificial intelligence systems, artificial intelligence system lifecycle and agents artificial intelligence, among other equally relevant areas.

Regarding its processing, although Bill No. 21/2020 was duly...

Although archived, the topic has not lost relevance in the legislative landscape. On the contrary, it has been succeeded by a new one. parliamentary initiative, embodied in Bill No. 3,088/2024, of August 8, 2024, of Authored by Federal Deputy Júlio Mano (PSB/CE).

The aforementioned proposal goes further by establishing measures aimed at protecting workers. in the context of the use of artificial intelligence, including the protection of your data. personal rights and privacy, and the preservation of jobs in the face of the incorporation of systems. AI and the prevention of discriminatory practices that may be concealed by tools algorithmic. Furthermore, it includes provisions for professional retraining programs, with the The purpose is to harmonize the use of artificial intelligence with activities that require greater... human intervention, promoting a socially responsible technological transition.

Currently, the project is ready for discussion in the Science, Technology and... Committee. Innovation (CCTI), revealing the continuity and maturation of the legislative debate regarding

7. Supreme Court Decision in ADO 73

As already outlined, the guarantee of protection against automation, enshrined in Article 7, Paragraph XXVII of the Constitution of the Republic remained, for a long period, devoid of normative concreteness. It is, unequivocally, a norm of limited effectiveness, whose operability depends on legislative intermediation aimed at defining the contours, mechanisms and instruments of guardianship. The inaction of the ordinary legislator, however, perpetuated a situation of unconstitutional omission, compromising the strengthening of a fundamental right expressly provided for in the catalog constitutional framework of social rights.

In this scenario, the Supreme Federal Court was called upon to rule on the matter within the scope of the Action. Direct Action of Unconstitutionality by Omission 73, reported by Minister Luís Roberto Barroso. In the judgment, the Plenary unanimously recognized the existence of legislative delay by Congress. National, establishing that the passage of decades without the issuance of a regulatory standard characterizes Failure to comply with a specific constitutional duty, and state inaction is inadmissible. neutralize command inserted in the essential core of fundamental social rights.

The decision rendered was not limited to a mere symbolic declaration of omission. In a stance of with greater institutional density, the Court established a deadline of 24 (twenty-four) months for the The National Congress must enact the relevant regulatory legislation, otherwise it will constitute... Disregarding a court order. This is a measure that reinforces the counter-majoritarian role of The Court, in preserving the supremacy of the Constitution and guaranteeing its normative force, especially when fundamental rights are at stake, the realization of which depends on proactive action. from the legislator.

During the consideration of the matter, Minister Luís Roberto Barroso emphasized that the protection Facing automation does not translate into a stance resistant to technological progress. On the contrary, The Constitution of the Republic also imposes on the State the duty to encourage scientific innovation and technological, recognizing it as a driver of economic and social development. The guardianship The constitutional framework, therefore, does not aim to hinder productive modernization, but rather to harmonize it with... the centrality of human labor and the dignity of the worker, values that are equally important. elevated to the status of fundamental principles of the constitutional order.

Similarly, Minister Cristiano Zanin emphasized that future regulations should... to structure itself according to the logic of systemic equilibrium, in order to reconcile free enterprise — a structuring principle of the economic order — along with the social values of work, also established to the foundation of the Republic. Automation, as a phenomenon inherent to productive evolution, does not It can be disciplined in such a way as to allow economic efficiency to prevail, in a manner...



Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

absolute, to the social protection constitutionally guaranteed.

In turn, Minister Nunes Marques highlighted that the regulatory challenge intensifies in light of... due to the speed and scope with which automation processes have been expanding, driven driven by disruptive innovations and artificial intelligence, it has been recognized that this is a phenomenon. practically inevitable at the current stage of technological development, which, however, does not authorize their complete submission to market forces, under penalty of deepening social inequalities. and the precariousness of labor relations.

In addition, Minister Flávio Dino warned of the absence of public policies. structured initiatives aimed at mitigating the effects of so-called technological unemployment, highlighting that legislative omission compromises the effectiveness of the constitutional foundations of the Republic and This undermines the social values of work. Regulating this matter therefore proves to be a crucial task. Legally complex and politically sensitive, but unavoidable, lest the current scenario perpetuate itself. Lack of protection incompatible with the current constitutional order.

In light of this precedent, it becomes clear that protection against automation is no longer merely... A programmatic constitutional promise to take on concrete, enforceable contours. institutional, reaffirming the supremacy of the Constitution and the need for coordinated action. among the branches of government to ensure the effectiveness of social rights in a context of profound technological transformations.

8. CONCLUSION

In conclusion, it is important to acknowledge that automation, although historically embedded in The process of evolution of modes of production, in the contemporary context, takes on more distinct contours. intense and disruptive, especially due to technological acceleration and economic integration. global. While the gains in productivity and efficiency are undeniable, on the other hand, it is evident- If the expansion of a scenario of structural unemployment and reconfiguration of labor relations, with direct impacts on the social stability and economic security of workers.

The combination of automation, globalization, and the logic of profit maximization imposes Relevant challenges to the constitutional model of the Social State outlined by the 1988 Constitution, whose economic order is based on the valorization of human labor and free enterprise, conceived not as antagonistic vectors, but as complementary ones. The absence of specific regulation regarding The lack of protection against automation deepens legal and social insecurity, leaving people unguarded. a fundamental right expressly provided for in the constitutional text.

In this context, legislative action aimed at providing substance becomes imperative. normative to the command of article 7, item XXVII, of the Federal Constitution, under penalty of perpetuation of Omission incompatible with the normative force of the Constitution. Until further notice.

Year VI, v.1 2026 | Submission: 07/03/2026 | Accepted: 09/03/2026 | Publication: 11/03/2026

In order to provide adequate infra-constitutional information, a systematic and principled interpretation of the provision is required, in harmony with the foundations of the Republic and with the structuring values of the economic order and social.

Constitutional protection against automation should be understood as a mechanism of safeguarding the dignity of the worker and preserving minimum material conditions for the pursuit of a dignified life through work, without this representing an obstacle to technological development. The challenge, therefore, does not lie in hindering innovation, but in subjecting it to normative guidelines that ensure a balance between economic efficiency and justice. social, reaffirming the Brazilian State's commitment to a development model inclusive, sustainable and constitutionally oriented

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