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RCMOS – Multidisciplinary Scientific Journal The Knowledge.
ISSN: 2675-9128. São Paulo-SP.

Year VII, v.1 2026 | Submission: April 9, 2026 | Accepted: April 17, 2026 | Publication: April 27, 2026

Preventive labor law practice as a tool for legal and economic sustainability in Brazilian micro and small businesses.

Preventive labor law as an instrument of legal and economic sustainability in Brazilian micro and small companies

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SUMMARY

This paper aims to analyze preventive labor law as a tool for promoting legal and economic sustainability in Brazilian micro and small businesses.
This study begins with the recognition of the relevance of these organizations in the national economic landscape, as well as the need to adopt mechanisms that ensure greater legal compliance, internal organization, and mitigation of legal risks. In this context, institutions such as labor *compliance ,* corporate governance, internal audits, and the strategic role of lawyers in conflict prevention are examined in light of constitutional and infraconstitutional principles, as well as jurisprudential interpretation. The methodology adopted is qualitative and applied in nature, with a bibliographic and documentary approach, based on the analysis of legal doctrine, relevant legislation, especially the Federal Constitution and the Consolidation of Labor Laws.
This study draws on Labor Laws and the Civil Code, as well as academic studies and the jurisprudence of labor courts. The deductive method is used, starting from general premises of the legal system for its application in the context of micro and small businesses. The results show that the adoption of preventive labor law practices, associated with *compliance* programs and governance mechanisms, contributes to the reduction of labor liabilities and the prevention of...
litigation and the strengthening of legal certainty. It is concluded that such practices constitute an essential instrument for the sustainability of these companies, by promoting legal compliance, organizational efficiency, and the reduction of costs arising from legal claims.
Keywords: Risk management; legal compliance; corporate governance; labor relations; litigation prevention.

ABSTRACT

This study aims to analyze preventive labor advocacy as an instrument for promoting legal and economic sustainability in Brazilian micro and small enterprises. It is based on recognition of the importance of these organizations in the national economic landscape, as well as the need to adopt mechanisms that ensure greater legal compliance, improved internal organization, and the mitigation
of legal risks. In this context, the study examines instruments such as labor compliance, corporate governance, internal audits, and the strategic role of legal professionals in conflict prevention, in light of constitutional and legal foundations and judicial interpretation. The methodology is qualitative and applied, based on bibliographic and documentary research. It relies on the analysis of legal doctrine, relevant legislation, especially the Federal Constitution, the Consolidation of Labor Laws, and the Civil Code, as well as academic studies and labor court decisions. The deductive
method is used, moving from general legal premises to their application in the context of micro and small enterprises. The findings indicate that adopting preventive legal practices, combined with *compliance* programs and governance mechanisms, helps reduce labor liabilities, prevent disputes,

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and strengthen legal certainty. It is concluded that such practices are essential tools for business sustainability, promoting legal compliance, organizational efficiency, and cost reduction arising from judicial demands.

Keywords: *Risk management; legal compliance; corporate governance; labor relations; dispute prevention.*

INTRODUCTION

Micro and small enterprises (MSEs) are fundamental to the Brazilian economy.
corresponding to approximately 99% of the business and contributing approximately 27% of the Product.
Gross Domestic Product (GDP), in addition to being responsible for 72% of the jobs created in 2024, according to data from the Sebrae News Agency (ASN, 2025).

This analysis demonstrates the need for instruments that ensure not only their
survival, but also its economic sustainability in a competitive market. However,
SMEs face significant challenges in complying with labor legislation, marked by
bureaucracy, high hiring and firing costs, and significant regulatory complexity are factors that
These factors result in a high rate of informality and vulnerability to labor disputes.

Brazil is among the countries with the highest number of labor lawsuits, which has an impact.
directly to SMEs. The judicialization of labor relations and court rulings.
They compromise these companies' budgets, often jeopardizing their continued existence.

In this context, preventive labor law emerges as a strategic tool for
compliance, risk management and legal security. On this point, Teodoro (2022, p. 1)
emphasizes:

> Acting in compliance is a societal requirement, and social actors must act in strict observance of legal precepts. In the labor field, this is no different, which is why there is currently talk of labor *compliance* aimed at preventing non-compliance with labor protection standards, seeking to mitigate the risks arising from decision-making processes involving labor relations.

Among preventive practices, legal auditing, contract review, and other key aspects stand out.
implementation of internal regulations, periodic training, mediation and conciliation
pre-litigation measures, as instruments capable of reducing labor liabilities and fostering a culture
compliance. These measures are aligned with corporate social responsibility and with the
The constitutional principle of the social function of the company, which seeks to harmonize free enterprise with...
dignity of human labor.

In this sense, Nelson and Teixeira (2020) emphasize that the adoption of *compliance* programs
It allows you to prevent risks, identify inconsistencies, and consolidate a positive reputation, capable of...
Attracting businesses and human capital.

Therefore, understanding preventive labor law in micro and small businesses is

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to recognize its strategic role in promoting sustainability, competitiveness and justice.
social in the contemporary business environment.

Thus, the objective of this article is to analyze preventive labor law practice as an instrument of legal and economic sustainability for Brazilian micro and small businesses, by through the identification of the most effective practices for mitigating labor liabilities. To that end, Mechanisms such as labor *compliance* programs and internal audits will be examined. Contract review, ongoing training, and appropriate means of conflict resolution, considering its relevance to promoting legal compliance, organizing labor relations and prevention of litigation.

Furthermore, the aim is to understand the role of corporate governance and *compliance* culture. in structuring safer and more efficient business environments, as well as analyzing the normative foundations that support preventive action, in light of the Federal Constitution, of Consolidation of Labor Laws and Civil Legislation. Furthermore, the intention is to evaluate how the Case law interpretation has reinforced the need to adopt preventive measures because From the perspective of employers, this highlights the risks arising from the absence of proper management.

Finally, the aim is to demonstrate that the integrated implementation of these practices, adapted to... The reality faced by micro and small businesses contributes not only to the reduction of liabilities. labor-related issues, but also for strengthening legal certainty and economic sustainability. and institutional reputation, consolidating preventive legal practice as a strategic tool for business management.

2. MATERIALS AND METHODS

The topic of this article is Preventive Labor Law Advocacy as an Instrument of Legal and Economic Sustainability in Brazilian Micro and Small Enterprises was developed based on a methodological approach aimed at achieving the proposed objectives for the research. It adopts the deductive method, starting from general concepts about preventive advocacy, *compliance* and corporate governance, to analyze its application in SMEs and demonstrate, based on... In the literature and data, how do preventive practices reduce labor liabilities and strengthen the... Economic sustainability.

Regarding its nature, this is applied research, as it seeks to identify legal practices. Effective preventative measures and propose compliance and risk management strategies for micro and small businesses.

The approach, therefore, is qualitative, prioritizing the interpretation and understanding of

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Concepts and standards related to preventive labor law practice, compliance, and social function.
of the company, considering the legal, organizational and cultural context of SMEs.

The type of research is bibliographic and documentary, involving the analysis of works and articles.
scientific sources, as well as official sources and legal regulations pertaining to the topic of this article.

Furthermore, the analysis technique considered is content analysis, specifically thematic analysis.
developed in three stages, namely: pre-analysis, which is equivalent to the selection and initial reading of the
material; exploration, which consists of categorizing the data and identifying the core elements of
meaning; and treatment and interpretation, which addresses critical analysis and the elaboration of conclusions.
in accordance with the objectives of this study. Finally, the data sources used are therefore:
to attest to the credibility and scope of this research.

3. RESULTS

The implementation of labor *compliance* programs in micro and small businesses.
tends to contribute significantly to the reduction of labor liabilities, insofar as
It establishes clear standards for legal compliance, prevents recurring irregular practices, and reduces...
probability of judicialization of labor relations (Souza, 2020).

It is understood that the structuring of formal control mechanisms and
Regulatory guidance promotes the organization of business practices, reduces operational errors, and
It strengthens an internal culture focused on legality and conflict prevention.

In this context, the adoption of periodic internal audits, continuous training, and channels
Reporting tends to enhance the effectiveness of labor *compliance* programs , by
to promote the early detection of nonconformities, enabling the adoption of corrective measures and
to contribute to more sustainable management and less exposure to labor disputes (Afonso et al.,
2024).

It is understood that continuous preventive action, based on systematic monitoring and...
Employee training enhances the company's ability to identify and correct risks.
irregularities and prevent their recurrence, promoting greater legal certainty and stability in
labor relations.

4. DISCUSSION

The choice of topic proves relevant given the legal and social importance of micro and
small businesses in the Brazilian context, especially when analyzed in light of the resulting challenges.

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due to the high level of litigation in labor relations. In this context, the data presented by
The National Council of Justice highlights the significant number of labor lawsuits in
processing in the country, indicating not only the overload of the Judiciary, but also its fragility.
structural changes in labor relations, especially in smaller companies (Brazil, 2023).
This scenario reinforces the need for a preventative approach, focused on mitigating conflicts.
and to the promotion of legal compliance.

From this perspective, the discussion about labor liabilities goes beyond the dimension
merely economic, taking on broader legal and social dimensions. As taught by
Delgado (2019) argues that the high level of judicialization of labor relations stems, to a large extent, from
absence of effective prevention mechanisms and systematic disregard for regulations.
labor disputes. This interpretation by the author allows us to understand that the recurrence of litigation is not...
This is limited to isolated instances of non-compliance with legislation, but reveals a structural deficiency in the management of
labor relations.

In this scenario, the incorporation of labor *compliance* practices presents itself as
A relevant tool for promoting regulatory compliance and reducing legal risks.

As highlighted by Sousa (2020) and Afonso et al. (2024), such mechanisms enable
Standardization of procedures, early identification of nonconformities, and the adoption of measures.
corrective measures. This understanding is expanded by the doctrine of Sérgio Pinto Martins, who emphasizes that the
Correct application of labor laws, combined with ongoing guidance for the agents involved,
It is an essential element for preventing conflicts and ensuring the stability of labor relations.

Furthermore, the use of tools such as internal audits, continuous training and
Reporting channels are part of a preventative management approach, aimed at reducing errors.
operational aspects and the strengthening of organizational governance. Along these lines, legal action leaves...
It is shifting from being restricted to resolving existing conflicts to taking on a strategic character. According to
Tartuce (2023) argues that contemporary legal practice should be guided by the prevention of litigation and
through the construction of consensual solutions, especially in contexts where litigation may
to cause significant economic impacts.

From another perspective, the adoption of preventive practices is also directly related to
principle of the social function of the company. According to Coelho (2022), business activity does not
It is not exhausted in the pursuit of profit, but must also serve social interests, such as the generation of
decent jobs and respect for legal norms. Therefore, the implementation of programs...
Labor *compliance* and internal control mechanisms prove to be compatible with the function.
The company's social responsibility lies in promoting more balanced and legally secure labor relations.

In this way, the discussion points out that the adoption of preventive legal practices,

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especially in the context of micro and small businesses, it constitutes an indispensable measure for The reduction of labor liabilities and the strengthening of legal certainty. The articulation between *Compliance,* internal auditing, and preventive legal counsel not only contribute to risk mitigation, but it also favors the construction of an organizational environment based on legality, on Transparency and social responsibility.

4.1 Preventive labor law and *compliance* in micro and small businesses

Preventive labor law practice is a strategic aspect of labor law. Work, focused on anticipating and mitigating legal risks, with the aim of ensuring the compliance with labor relations and, consequently, safeguarding legal sustainability and economics of organizations.

As Martinez (2024) teaches, *compliance* should be understood as a a corporate governance mechanism aimed at promoting ethical standards, transparency, and Efficiency in management, ensuring that business practices are in line with the legislation and institutional values.

From this perspective, it becomes clear that *compliance* is not limited to a set of rules. formal, but it is structured as an integrated prevention system, capable of guiding conduct and To significantly reduce the occurrence of irregularities in labor relations. *Compliance,* Therefore, it presents itself as an essential instrument, not only for enabling compliance with legal norms, but also by fostering an organizational culture based on ethics, in Transparency and responsibility.

On the other hand, Delgado (2019) highlights that the effectiveness of labor standards does not depend not only its existence on the legal plane, but, above all, its concrete incorporation into daily life in labor relations.

This means that mere legal provision is not enough to avoid conflicts, being It is essential that companies adopt internal practices capable of ensuring compliance with these. standards. Thus, the absence of preventive mechanisms favors the occurrence of repeated violations. which directly contributes to the increase in labor litigation. Based on this interpretation, It is understood that labor *compliance* acts as an instrument for internalizing regulations. Transforming legal obligations into effective practices within the organization.

Furthermore, the Brazilian Institute of Corporate Governance, as mentioned by Martinez (2024) states that good corporate governance practices are based on principles of transparency, fairness, accountability and corporate responsibility.

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These guidelines are essential for establishing ethical and trustworthy business environments. especially in the context of micro and small businesses, where management, as a rule, presents greater degree of centralization and informality.

From another perspective, Martins (2023) emphasizes that prevention in Labor Law is directly related to the correct application of the rules and the ongoing guidance of employers Regarding their legal obligations. For the author, many labor lawsuits arise, not necessarily in bad faith, but stemming from ignorance or mismanagement of labor laws.

In this context, preventive action, through training, audits and Legal counsel proves essential to reduce operational errors and prevent the formation of problems. of liabilities, reinforcing the importance of legal action focused on anticipating risks.

Thus, the connection between preventive labor law and *compliance* becomes apparent. particularly significant in the context of micro and small enterprises, as it enables organization of internal practices, reduction of legal vulnerabilities and promotion of a more efficient management aligned with legal and ethical parameters. In this scenario, the adoption of these These tools not only prevent litigation, but also contribute to institutional strengthening and The continuity of business activities.

4.2 The importance of *compliance* in micro and small businesses

The Brazilian Service for Support to Micro and Small Enterprises (SEBRAE) (2023, p. 8) defines Compliance is defined as "the adoption of policies, procedures, and internal controls that ensure that... " The company and its employees must comply with laws, regulations, and ethical principles. applicable.

Based on this definition, it is understood that *compliance* goes beyond mere adherence to rules. formal legislation, structuring itself as a mechanism for internal organization and prevention. of risks. In the context of micro and small businesses, SEBRAE itself emphasizes that such practices They take on a strategic character and are crucial for survival and competitiveness in market.

Incorporating *compliance* into SMEs presupposes the adoption of practical measures, such as... Mapping workplace risks, developing codes of ethics, and implementing communication channels. Reporting and conducting internal audits. These actions contribute directly to the reduction. of labor liabilities and to strengthen more balanced labor relations.

In this sense, Martins (2019) highlights that the prevention of conflicts in the workplace is intrinsically linked to the correct application of rules and the ongoing guidance of employers, the

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which shows that the internal organization of business routines is a determining factor in reducing of litigation.

Corroborating this perspective, Novais (2024, p. 14) emphasizes that “the use of law Preventive measures at the time of hiring can reduce the risk of errors during the hiring process. employee, minimizing inappropriate hiring practices and assisting the employee in fulfilling the "rules established by the company."

The author's analysis demonstrates that the initial phase of the employment relationship is crucial. since any failures at this stage tend to have repercussions throughout the entire relationship. employment-related issues, increasing the likelihood of future conflicts.

Additionally, recent academic production has demonstrated the feasibility of Implementation of *compliance* programs in smaller companies. In this context, Araújo Júnior (2018), when analyzing the application of these practices in micro and small businesses, concludes that the Adopting measures proportionate to organizational capacity, such as simplified training, Standardizing contracts and providing regular legal support is already enough to generate an impact. positive aspects in mitigating labor risks. The author emphasizes that *compliance,* when adapted In light of the reality of these organizations, it ceases to be a complex and costly model and becomes a... An accessible and effective tool for preventative management.

Therefore, although the implementation of a labor *compliance* culture in SMEs still faces obstacles related to limited resources and lack of technical knowledge, It has been found that the benefits resulting from these practices significantly outweigh their costs. In this scenario, preventive legal counsel assumes a fundamental role, acting as an agent of guidance and support for the entrepreneur, while contributing to the consolidation of Safer, more organized business environments that are aligned with legal requirements.

4.3 Governance and legal sustainability

Corporate governance can be understood as a structured system of direction, Monitoring and encouraging organizations, aimed at harmonizing interests and preserving... of long-term economic value.

From this perspective, Andrade (2025) highlights that governance is directly related to building institutional structures based on transparency, accountability and Integrity is an essential element for trust in business relationships. From this... In this conception, governance ceases to be an instrument restricted to large corporations and becomes... to present it as a model adaptable to micro and small businesses, respecting their organizational particularities.

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When combined with preventive labor law practice, corporate governance takes on a...
This role is becoming even more relevant, consolidating itself as an instrument of legal sustainability.
Because preventative action allows for the identification and mitigation of risks before they escalate into litigation.
contributing to the stability of labor relations and the reduction of liabilities.

In this sense, Domingues (2025) points out that integrity and governance programs
They should act preventively, structuring organizational behaviors and reducing the
The incidence of irregularities. This understanding reinforces the need for legal action.
A strategic approach, focused on anticipating conflicts and promoting safer business environments.

In the Brazilian context, the strengthening of labor *compliance* and preventive legal practice.
In micro and small businesses, this proves to be not only a regulatory requirement, but also a
sustainable development strategy. Along these lines, Grau (2015) argues that the activity
Businesses should be committed to social values, not just profit, but
also promoting the dignity of work and respect for legal norms. From this
From this perspective, the adoption of governance and *compliance* practices contributes to building
Companies that are more responsible and aligned with their social function.

Additionally, contemporary academic production has reinforced the relationship between
governance and legal sustainability. In this sense, the study by Schwahtz (2025) stands out, which
It analyzes the implementation of governance practices in micro and small enterprises and concludes that...
Adopting simplified mechanisms for control, transparency, and risk management contributes
significantly contributes to the reduction of legal vulnerabilities. The author highlights that, even in
Even with reduced organizational structures, it is possible to implement effective governance practices, since
which are adapted to the business reality, reinforcing the viability and relevance of these measures.

Thus, the integration between corporate governance, labor *compliance ,* and legal practice
Preventive measures constitute a consistent model of legal sustainability, especially in the context of...
of micro and small businesses. By internalizing ethical and legal values into their culture.
By improving organizational performance, these companies reduce their exposure to risk and strengthen their reputation.
institutionally, they expand their ability to remain in the market, contributing to a positive environment.
A more stable and socially responsible economy.

4.4 Constitutional and infraconstitutional foundations of preventive labor law practice

From a normative perspective, preventive labor law practice finds solid support in
Brazilian legal system, constituting a strategic instrument for the promotion of
legal and economic sustainability of companies. This principle originates in the Constitution of

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The 1988 Republic, which establishes structuring guidelines for economic and labor relations, especially by enshrining free enterprise, social rights, and the social function of the company.

In this regard, Article 1, IV, of the Federal Constitution provides that: “The Federative Republic of Brazil [...] has as its foundations: IV – the social values of work and free enterprise” (Brazil, 1988).

The standard highlights the need for harmonization between capital and labor, reinforcing the The importance of preventative practices capable of balancing these interests. Preventative legal practice, In this context, it acts precisely in the realization of these values, by guiding business conduct. compatible with legality and the dignity of the worker. In the same decree, article 5, Article XXXV establishes that: "the law shall not exclude from the consideration of the Judiciary any injury or threat to "right" (Brazil, 1988).

This device reveals the broad possibility of judicialization, which, consequently, This reinforces the importance of preventative mechanisms to avoid the formation of disputes. Furthermore, the Paragraphs LIV and LV guarantee due process of law, the right to a fair hearing, and the right to a full defense, which This demonstrates that, once a conflict arises, there will be procedural costs and legal risks. reinforcing the need for proactive and strategic action on the part of companies.

Still within the constitutional framework, Article 7 lists the rights of urban and rural workers. establishing a minimum set of guarantees to be observed by employers. The Failure to comply with these regulations constitutes one of the main causes of labor lawsuits, which is why... through which preventive legal counsel acts in guiding and monitoring the fulfillment of these rights. avoiding the creation of liabilities. In turn, Article 170 of the Constitution states that:

> The economic order, founded on the valorization of human labor and free initiative, aims to ensure dignified existences for all, in accordance with the dictates of social justice [...] (Brazil, 1988).

This provision enshrines the social function of the company and reinforces that economic activity It must be exercised in accordance with ethical and legal principles. In this sense, the The implementation of *compliance* practices and preventive legal advice proves to be compatible with... A constitutional model of development, by promoting a balance between profit and responsibility. social responsibility and respect for labor laws.

Within the framework of sub-constitutional law, the Consolidation of Labor Laws (CLT), established by Decree-Law No. 5,452/1943 establishes fundamental rules for the regulation of relations of employment. Initially, Article 2 stands out, defining the employer as the one who assumes the... risks of economic activity, highlighting potential losses resulting from management failures. Labor responsibilities fall on the company. This provision reinforces the need to adopt measures.

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preventive measures, in order to avoid future liabilities.

Article 3, in turn, defines the employee and delimits the elements of the employment relationship: Personal service, subordination, remuneration, and regularity. The correct identification of these requirements is Preventive legal counsel is essential to avoid fraud and disguised employment relationships. fundamental for guiding the proper formalization of labor relations.

Of particular relevance is Article 9 of the CLT (Consolidation of Labor Laws), which states: "Acts shall be null and void." practices aimed at distorting, preventing, or defrauding the application of the precepts contained in Present Consolidation" (Brazil, 1943).

This device demonstrates that irregular practices, even if formally constituted, do not produce legal effects, which reinforces the importance of preventive action aimed at legal compliance and the integrity of labor relations. With regard to contractual autonomy, the Article 444 establishes that:

> Employment contracts can be freely stipulated by the parties. interested parties, in all matters that do not contravene the provisions for the protection of labor [...]. (Brazil, 1943).

This rule demonstrates that, although contractual freedom exists, it is limited by... Worker protection standards require caution when drafting employment contracts. Preventive legal counsel, in this respect, acts in contractual review, ensuring that the clauses are... in accordance with current legislation.

Furthermore, article 468 stipulates that contractual amendments are only valid when they do not result in This would harm the employee, preventing unilateral and detrimental modifications. Article 477, on the other hand, deals with termination. contractual, establishing formalities that, if not met, may result in penalties to employer, this being one of the most sensitive moments in the employment relationship and, therefore, subject frequent use of preventive measures.

Finally, article 818 of the CLT (Consolidation of Labor Laws) governs the burden of proof in labor proceedings. establishing that it is up to the parties to prove their allegations. This provision reinforces the importance of Document organization and proper recording of labor relations, aspects directly linked to *compliance* and internal audit practices .

In the field of Civil Law, Law No. 10.406/2002 (Civil Code) also contributes to the The basis for preventive legal advice, especially in establishing, in its article 421, that establishes: “Contractual freedom will be exercised within the limits of the social function of the contract” (Brazil, 2002).

Furthermore, articles 422 and 927 reinforce, respectively, the principles of objective good faith and of civil liability, imposing on the parties the duty to act with loyalty and to repair any damage.

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damages caused. These devices directly relate to labor *compliance ,* as they require Ethical and responsible conduct in contractual relationships.

With regard to micro and small businesses, Complementary Law No. 123/2006 establishes differentiated and preferential treatment, recognizing their structural limitations and encouraging their Formalization and its development. This regulatory instrument reinforces the need for mechanisms. Accessible legal compliance services, such as preventive legal advice, that enable these companies to fulfill its obligations without compromising its economic viability.

Finally, it is worth highlighting Resolution No. 174/2016 of the Superior Council of Labor Justice. which establishes the National Judicial Policy for the appropriate handling of labor disputes, encouraging mediation and conciliation as means of conflict resolution. This guideline is aligned with the logic of preventive law, by prioritizing consensual solutions and reducing litigation, contributing to a more efficient and balanced legal environment.

Note that Resolution No. 174/2016 of the Superior Council of Labor Justice was updated and supplemented by subsequent regulations, such as Resolution No. 288/2021, also of the aforementioned Council.

Thus, it is clear that preventive labor law practice finds broad support in Brazilian legal system, both at the constitutional and sub-constitutional levels, Consolidating itself as an essential instrument for promoting legal certainty, the reduction of liabilities and the sustainability of business relationships.

4.5 Labor law case law as a tool to strengthen preventive legal practice

Brazilian labor law jurisprudence has played a significant role in consolidating preventive legal practice as a mechanism for mitigating risks and promoting... Legal certainty in labor relations. The courts have reiterated the need for compliance. not only legal regulations, but also proper internal management and document organization and the adoption of preventive practices capable of avoiding litigation and reducing labor liabilities.

In this regard, the understanding established by the Superior Labor Court stands out in case no. RR-1079-98.2012.5.04.0020, in which the reinstatement of an employee was ordered. due to the company's failure to comply with its own internal regulations (Brazil, 2023). The decision demonstrates that internal company rules, once established, bind the employer. integrating the employment contract, such that its non-observance constitutes a management failure and may This can lead to significant legal consequences. Therefore, the importance of preventative legal counsel is reinforced. in the development and, above all, in the effective application of organizational policies.

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Similarly, case law has recognized the employer's liability in cases...
due to a lack of adequate training and failures in workplace safety management. According to
as reported by Lopes Júnior (2020), the Regional Labor Court of the 15th Region condemned the
The company is obligated to pay compensation and a pension to the family of the deceased worker, due to...
The absence of preventive measures. This understanding highlights the employer's duty of care.
It requires concrete and continuous action, not limited to the formal compliance with the rules, being the
Training and prevention are essential elements to avoid harm and litigation.

In this context, the following ruling from the Regional Labor Court of [location] is presented.
13th Region:

> **Civil liability. Moral and material damages. Illness.**
> **IN THE WRIST. SYNOVIAL CYST. ABSENCE OF CAUSAL OR CONCAUSAL**
> **LINK. REQUESTS DENIED. JUDGMENT CONFIRMED.**
> [...]
> There are three pieces of evidence in the case file: (1) the documents
> [...]
> (2) the author's testimony [...] and (3) the expert evidence. [...] the expert report [...] shows that the illness has no causal or contributory causal relationship with the disease alleged by the claimant [...] it is impossible, in this context, to impute fault to employer [...] **PREDATORY LITIGATION. INDICATIONS.** [...] there is repetition of generic arguments [...] indicative of so-called predatory litigation (TRT-13 - ROT: 00014860520235130009, Rapporteur: FRANCISCO DE ASSIS CARVALHO E SILVA, 2nd Panel - Office of Judge Francisco de Assis Carvalho e Silva) (Brazil, 2023).

The analysis of this judgment demonstrates that the employer's liability depends on...
Effective proof of the causal link between the activity performed and the alleged damage, the proof being...
Expert evidence is a central element in forming judicial conviction. Furthermore, the judgment...
This demonstrates the importance of internal organization and the production of evidence by companies.
especially with regard to health and safety at work.

Another relevant aspect concerns the recognition of evidence of predatory litigation.
This reinforces the need for ethical and responsible conduct within the procedural framework. For the
For companies, this understanding highlights the importance of adopting preventative practices, such as record keeping.
Documentation, training, and monitoring of working conditions not only reduce the
It prevents the occurrence of disputes, but also strengthens the defense in the event of a lawsuit.

In this way, labor law jurisprudence not only sanctions irregular conduct, but also...
It also guides business practices, establishing clear prevention parameters. Legal counsel
In this context, preventive labor law proves to be an indispensable tool for promoting...
Legal certainty, reduction of liabilities, and the consolidation of more balanced labor relations.
and sustainable.

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Machine Translated by Google
RCMOS – Multidisciplinary Scientific Journal The Knowledge.
ISSN: 2675-9128. São Paulo-SP.

Year VII, v.1 2026 | Submission: April 9, 2026 | Accepted: April 17, 2026 | Publication: April 27, 2026

FINAL CONSIDERATIONS

Preventive labor law practice is a field of activity focused on resolving conflicts.
of Labor Law, aimed at anticipating and mitigating inconveniences in the legal sphere,
with the aim of ensuring compliance in labor law-governed relationships, and
Consequently, to protect the legal and financial sustainability of companies.

The implementation of labor *compliance* programs in micro and small businesses is approaching...
Therefore, it is necessary to provide substantial subsidies in order to minimize liabilities in the labor field.
Insofar as it consolidates clear criteria of compliance based on legal standards,
taking precautions against rather random practices in daily life, as well as summarizing the possibility of
filing lawsuits in the labor field.

Compliance for Brazilian micro and small enterprises (MSEs) *allows* for the adoption of
Practices that ensure compliance with laws, regulations, and ethics, reducing unforeseen risks.
such as fines, and strengthening the company's reputation. Effective for the longevity of the business, adapt-
Depending on the size of the company, in addition to encompassing the organization of corporate codes of ethics, the
Training workers, establishing reporting channels, and protecting data.
which are passed on and entrusted to him.

Preventive labor law practice is considered a relevant strategic tool for
Micro and small enterprises (MSEs) in Brazil, acting as a pillar for sustainability.
legal and economic, as it transforms contentious labor management into diligent action, reducing
Expenses related to legal claims and ensures legal compliance in a business environment.
intricate.

The position adopted is that the ordering of protocol mechanisms of domain and of
Normative guidance promotes the organization of practices in a business setting, restricting
flaws and strengthening an internal tradition channeled towards the adoption of legal principles, preventing
Disorders commonly occurring in the organization of companies, preventing risks, fraud and
Corruption, safeguarding the reputation and sustainability of the business being developed.

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Machine Translated by Google
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