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Possibilities and challenges of Law 14,681/2023 in the quality of work life of employees in federal higher education institutions

Possibilidades e desafios da Lei nº 14.681/2023 na qualidade de vida no trabalho de servidores de instituições federais de educação superior

Posibilidades y desafíos de la Ley 14.681/2023 en la calidad de vida laboral de los empleados en instituciones federales de educación superior

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Abstract: This study aims to analyze Law 14,681/2023 and its potential impact on the well-being of federal public education employees. It is qualitative research of an exploratory nature, characterized as a documentary study due to the technical procedure adopted. The Law sets goals to promote educators' health, reduce absenteeism, and value these professionals. It adopts a cooperative approach between different levels of government and emphasizes the importance of data collection, monitoring, and preventing health problems. The conclusion is that the legislation represents a significant advancement in valuing education professionals, particularly federal public employees, and promoting a healthy and productive work environment. It is emphasized that achieving these objectives requires effective implementation, securing budgetary resources, and rigorous monitoring.

Keywords: quality of work life; Law 14,681/2023; federal higher education institutions.

Resumo: O presente estudo tem como objetivo analisar a Lei nº 14.681/2023 e seu potencial impacto no bem-estar dos servidores públicos federais da educação. Trata-se de uma pesquisa qualitativa de natureza exploratória, caracterizada como estudo documental devido ao procedimento técnico adotado. A Lei estabelece metas que incluem a promoção da saúde dos educadores, a redução do absenteísmo e a valorização desses profissionais. Adota uma abordagem cooperativa entre diferentes níveis de governo e enfatiza a importância da coleta de dados, do monitoramento e da prevenção de problemas de saúde. Conclui-se que a legislação representa um avanço significativo na valorização dos profissionais da educação em geral, especialmente dos servidores públicos federais, além de promover um ambiente de trabalho saudável e produtivo. Destaca-se que a concretização desses objetivos requer uma implementação efetiva, asseguramento de recursos orçamentários e um monitoramento rigoroso.

Palavras-chave: qualidade de vida no trabalho; Lei nº 14.681/2023; instituições federais de ensino superior.

Resumen: El presente estudio tiene como objetivo analizar la Ley nº 14.681/2023 y su potencial impacto en el bienestar de los servidores públicos federales de la educación. Se trata de una investigación cualitativa de naturaleza exploratoria, caracterizada como un estudio documental debido al procedimiento técnico adoptado. La Ley establece metas que incluyen la promoción de la salud de los educadores, la reducción del absentismo y la valorización de estos profesionales. Adopta un enfoque cooperativo entre diferentes niveles de gobierno y enfatiza la importancia de la recolección de datos, el monitoreo y la prevención de problemas de salud. Se concluye que la legislación representa un avance significativo en la valorización de los profesionales de la educación en general, especialmente de los servidores públicos federales, además de promover un ambiente de trabajo saludable y productivo. Se destaca que la concreción de estos objetivos requiere una implementación efectiva, la garantía de recursos presupuestarios y un monitoreo riguroso.

Palabras clave: calidad de vida en el trabajo; Ley nº 14.681/2023; instituciones federales de educación superior.

1 Introduction

Education, as one of the fundamental pillars of society, plays an unquestionable role in shaping citizens capable of contributing to constructing a more just and equal community (United Nations, 1948), a fundamental right guaranteed by the citizen constitution (Brasil, 2016). Education professionals, acting as disseminators of knowledge and promoters of human development, play a fundamental role in this process. However, the importance of this vocation often faces a reality marked by challenges and adversities that can compromise the essence of the educational mission (Cericato, 2016).

In this context, the routine of education professionals unfolds in a complex web of responsibilities, where workplace pressure, chronic stress, and a lack of adequate recognition cast shadows over the educational landscape. Educators face the daily task of shaping young minds, instilling values, disseminating knowledge, and dealing with unexpected challenges, often without the necessary resources and support (Farias *et al.*, 2022).

Work overload, administrative bureaucracy, and increasing social expectations can wear down morale and drive professionals away from educational institutions due to physical and mental health problems. To address this situation, it is urgent not only to recognize the value of these educators but also to care for their well-being and quality of work life, ensuring that they can continue to inspire and educate future generations effectively and healthily (Rocha; Ujiie; Blaszkowski, 2023).

In the context of the growing concern for the well-being of professionals, the Official Health Expertise Manual for Federal Public Servants (Brasil, 2017) highlights the importance of caring for the health of federal civil public servants. Brazilian citizens are currently focused on the state's role, which must be aligned with increasing social demands, including providing quality public services. Attention to the well-being of professionals, especially in preventing and monitoring illnesses, positively impacts working conditions and delivering services that meet society's expectations (Brasil, 2017).

One of these changes relates to the growing awareness within society about the importance of the well-being of education professionals and its direct impact on the quality of education offered. In the past, educators were often seen merely as knowledge transmitters, while issues related to their mental health, work-life balance, and job satisfaction were underestimated (Franco *et al.*, 2021). However, a new paradigm has emerged, recognizing that a healthy and motivated educator is essential for the educational system's success (Rocha; Ujiie; Blaszkowski, 2023).

The COVID-19 pandemic, which began in 2020, required rapid adaptations from educators, including the transition to remote teaching. This shift brought additional challenges, such as the lack of adequate technological resources (Carvalho *et al.*, 2023),

health concerns (Abreu; Cruz; Soares, 2023; Penteado; Souza Neto, 2019; Rojas; Martínez; Riffo, 2020), workplace safety (Pereira; Zuin, 2019), and the need to emotionally support their students during a global crisis (Ludovico *et al.*, 2020). This situation highlighted the vulnerability of education professionals and underscored the urgent need for policies that address not only educational demands but also the mental, physical, and emotional health of these essential workers (Abreu; Cruz; Soares, 2023). The new reality imposed by the pandemic may be found in Law 14,681 (Brasil, 2023), which is a necessary response from the Brazilian government to the challenges faced by the educational sector, which extend beyond this period.

In this evolving context, this study aims to analyze Law 14,681 (Brasil, 2023) and its potential impact on the well-being of federal public education employees. This is qualitative research of an exploratory nature, characterized as a documentary study due to the technical procedure adopted.

2 Historical context

To understand Law 14,681 (Brasil, 2023), it is necessary to contextualize it historically and explore the circumstances that led to its enactment. Analyzing the evolution of health and well-being policies for federal public servants in Brazil is essential to achieving this goal. 1943, with the Consolidation of Labor Laws (CLT), labor regulation began in the country, focusing on individual and collective labor relations (Brasil, 1943). Health protection in the CLT was centered on occupational health, involving medical examinations, periodic check-ups, and preventing risks and work-related accidents. However, public servants did not have similar regulations or protective instruments.

The 1988 Constitution (Brasil, 2016) brought significant advances in social protection policies and labor regulation, including the creation of the Unified Health System (SUS) and the Unified Legal Regime (RJU) (Brasil, 1991). With the RJU, the first regulatory standards for public servants emerged, especially related to medical leave and disability retirement.

Martins *et al.* (2017) identified several legal milestones after 1988 that shaped the approach to this issue in the context of health care for federal public servants in Brazil. First, Law 8,080, dated September 19, 1990, is highlighted, as it establishes guidelines for promoting, protecting, and recovering health and the organization and operation of the corresponding services. In 1993, the Interministerial Executive Group on Worker's Health (GEISAT) was created to develop a proposal to regulate, standardize, and monitor labor and health relations for workers, including public servants. This initiative ensured all federal employees a safe and healthy work environment.

Health policies also evolved within the SUS framework, with principles such as comprehensiveness, universality, equity, and social participation shaping a worker's health model based on promotion, surveillance, and participation in health. In the 1990s

and 2000s, there was an intense debate on the regulation of Worker's Health in SUS, culminating in 2011 with the National Policy on Health and Safety at Work (PNSST), Decree-Law 7,602, dated December 7, 2011, and in 2012 with the National Policy on the Health of Workers (PNSTT).

In the public sector, the Ministry of Planning established the Occupational Health System for Public Servants (SISOSP) in 2006, which was later replaced by the Integrated Subsystem of Worker's Health Care (SIASS) in 2009.

The SIASS organized a policy based on three main pillars: health care for public servants, medical expertise, and health promotion and surveillance for servants. Health care for public servants includes medical, dental, psychological, pharmaceutical, and physiotherapy services. The SUS provides these services directly by the agency or entity to which the servant is linked, through agreements or contracts, or as aid through reimbursement. Additionally, the State has a constitutional provision to promote servants' health, reducing inherent work risks.

SIASS also plays an essential role in medical expertise, seeking the standardization of procedures, transparency of technical criteria, administrative efficiency, and humanization in service. Expertise is committed to facilitating the return to work based on the ethical principles of the relationship between the expert and the examined.

Regarding employee promotion and health surveillance, SIASS carries out health actions aimed at intervening in the illness process, both in individual and collective aspects within the work environment. These actions include changes in work organization and environment, active disease surveillance, and training for adopting practices that improve the quality of work life.

The evolution of health and worker protection policies, particularly for teachers, led to the enactment of Law 14,681 (Brasil, 2023). This law can be seen as a response to contemporary challenges faced by education professionals and as a reflection of the growing recognition of these workers in various spheres of society, provided it is effectively implemented.

3 Objectives and guidelines of Law 14,681/2023

Law 14,681 (Brasil, 2023), by outlining a clear roadmap for the Policy on Well-Being, Health, Quality of Work Life, and Valuing Education Professionals, establishes ambitious goals and objectives that could profoundly impact the Brazilian educational sector. The purpose of these objectives goes beyond the mere enactment of legislation; it represents a genuine commitment to the positive transformation of the working environment for education professionals and, consequently, to improving education in the country.

One of the main pillars defined by this legislation is promoting the comprehensive health of education professionals. This promotion goes beyond the absence of disease, recognizing educators as biopsychosocial beings with diverse needs in various areas of their lives, including the work dimension. Comprehensive health encompasses physical and mental health and balancing personal and professional life. It involves creating an environment that allows educators to thrive in all aspects of their lives, as only healthy and balanced educators can comprehensively perform their role in shaping future generations.

Another essential objective outlined in the Law is the reduction of absenteeism among education professionals. Absenteeism, often caused by work-related physical or mental health issues, poses a significant challenge to the continuity of quality teaching. By implementing effective strategies to mitigate this phenomenon, the Law seeks to ensure that educators are present and engaged in the classroom, providing students with a more consistent and enriching learning experience.

The valuing of education professionals is the central point of the policy. This valuing is not limited to symbolic recognition but is translated into practical measures that improve the work environment, interpersonal relationships, and the professional development of educators. Actions include investing in continuous training, fostering pedagogical innovation, promoting autonomy and active participation, and creating opportunities to develop individual and organizational skills.

The guidelines established by the Law emphasize the importance of interpersonal relationships in the workplace, promoting mediation and harmony among educators, their supervisors, colleagues, and students. Healthy relationships improve the organizational climate and create a more positive and productive learning environment.

Worker engagement, another aspect highlighted by the Law, aims to stimulate the active participation of educators in the planning and continuous improvement of working conditions. This involves creating an environment where educators' voices are heard, ideas and feedback are valued, and collaboration is encouraged. Engagement increases job satisfaction and drives creativity and innovation, which are essential elements for the continuous evolution of the educational system.

The protection of comprehensive health is a fundamental element of these guidelines. The legislation requires implementing measures that guarantee education professionals' safety and well-being, including protocols to address work-related health risks and issues. Such measures reduce the risks to educators' health and create a work environment where they feel cared for and supported.

As stipulated by the Law, the promotion of skill development aims to empower educators through training and qualification activities that enable personal and professional growth. These actions improve the quality of teaching and enrich educators' careers, making them more effective in their roles and better prepared to face the ever-evolving challenges of modern education.

Together, the objectives and guidelines outlined in Law 14,681 (Brasil, 2023) represent a comprehensive commitment to improving the working conditions of education professionals and, consequently, promoting a healthier, more effective, and student-centered educational system. The success of implementing these measures will depend on the commitment of the stakeholders, governmental support, and collaboration across the various levels of the Brazilian educational system.

4 Plans and evaluation

One of the characteristics of Law 14,681 (Brasil, 2023) is its strategic and cooperative approach to implementing the Policy on Well-Being, Health, Quality of Work Life, and Valuing Education Professionals. The legislation establishes clear objectives and solid guidelines and recognizes the importance of involving different actors in the Brazilian educational system to achieve these ambitious goals.

As established by the Law, developing plans for implementing this policy must involve genuine collaboration among various levels of government, including the Union, States, the Federal District, and Municipalities. Additionally, the legislation allows for the participation of private educational institutions, although this participation is optional. This collaborative approach is essential, recognizing that the responsibility for education is shared and that improving the working conditions of education professionals cannot be achieved in isolation by a single actor.

These plans are not mere bureaucratic formalities but an opportunity to translate the aspirations outlined in the legislation into concrete actions. They must be developed based on the principles of quality of work-life, considering the specific needs and realities of each educational context. By actively involving local actors in creating these plans, the legislation aims to ensure that strategies and goals are adapted to regional particularities, promoting the effectiveness and relevance of the policy throughout the country.

A critical element of these plans is the inclusion of management indicators and evaluation tools for the established goals. These tools are designed to measure progress about the policy's objectives. Measurement provides a means to quantify and

assess the actions' impact and ensures accountability for all parties involved. Transparency and accountability are fundamental pillars to ensure that the policy stays on track and that resources are used efficiently.

Furthermore, the Law provides for a systematic and periodic evaluation of the results and impacts of these plans. This evaluation process is not a simple formality but an essential tool for continuously adjusting and improving the policy. The annual evaluation and the review at the end of each term of the Executive Branch's leader allow for a detailed analysis of the progress made, identifying areas of success and persistent challenges. This regular evaluation also enables adjustments to strategies, ensuring the policy remains relevant and effective over time.

In practical terms, the cooperative approach, including management indicators and the systematic evaluation of the results and impacts of the Policy on Well-Being, Health, Quality of Work Life, and Valuing Education Professionals, represents a solid commitment to effectiveness and efficiency in achieving educational objectives. The legislation demonstrates a genuine effort to translate its intentions into concrete and positive changes within the Brazilian educational system, benefiting everyone involved.

5 Prevention of illness

The emphasis on preventing illness among education professionals is one of the central pillars of Law 14,681 (Brasil, 2023). This priority reflects a deep and sensitive understanding of the complexities inherent to the teaching profession, which often faces unique challenges and exceptional demands in exercising its duties. Due to their proximity to students, educators are frequently more exposed to contagious diseases, raising significant concerns about their physical health (Nascimento; Díaz; Amorim, 2022).

Additionally, vocal problems are recurring among education professionals due to the need for constant and clear communication in the classroom (Freitas *et al.*, 2019). Prolonged use of the voice in often challenging environments can lead to vocal health problems, affecting both the quality of teaching and the well-being of educators.

Another critical factor to consider is work-related stress, which has become even more pronounced in recent years, especially during the pandemic (Rojas; Martínez; Rifo, 2020). Educators frequently deal with high emotional and psychological demands, facing challenging situations, pressure to meet performance targets, and, in some cases, a lack of adequate recognition for their hard work. This chronic stress can

lead to a range of adverse health consequences, including emotional, physical, and mental problems (Penteado; Souza Neto, 2019).

The policy established by Law 14,681 (Brasil, 2023) recognizes the importance of addressing these issues proactively and effectively. The legislation does not wait for health problems to arise before taking action; instead, it seeks to implement preventive measures to protect education professionals' health and well-being from the outset. These measures include promoting hygiene practices, providing protective resources against infections, such as Personal Protective Equipment (PPE), and offering psychological support programs to help educators manage their work's stress and emotional demands.

Furthermore, the legislation aims to create a work environment that acknowledges the importance of educators' health and well-being. This includes promoting time and workload management policies that allow for a healthy balance between personal and professional life and establishing an organizational climate that actively values and supports education professionals (Dias; Pinto, 2019).

6 Possible limitations of Law 14,681/2023 in federal higher education institutions

Although Law 14,681 (Brasil, 2023) represents a significant and necessary step in promoting well-being and valuing education professionals in general and Federal Higher Education Institutions (IFES) in particular, it is reasonable to question its effectiveness due to the challenges and limitations.

Other important laws have been enacted. An example worth highlighting is Law 13,409, dated December 28, 2016, which guarantees accessibility and inclusion for people with disabilities. Despite its relevance, the guarantees established in this law are still far from being an actual achievement for society. The inconsistency with other laws and the lack of budget are the main reasons for the partial ineffectiveness of Law 13,409 (Cantorani *et al.*, 2020).

Some critical limitations can be anticipated in the federal public education system, mainly manifested in universities and institutes. Among the limitations are:

- a) lack of specific budget allocation for the effective implementation of the law: the IFES, already facing a precarious financial situation (Dias Sobrinho, 2018), may struggle to allocate the necessary resources to ensure that the objectives outlined in the law are fully achieved. Recent budget cuts and increased educational demands have created a challenging and even discouraging en-

vironment for these institutions (Pilatti *et al.*, 2022). Without adequate resources, it will be a real challenge for the IFES to effectively implement the provisions of Law 14,681 (Brasil, 2023);

- b) monitoring capacity: data collection and analysis are crucial for evaluating the progress and impact of the policy, which can be challenging for the IFES due to lean teams and limited resources. Effective data collection involves implementing efficient systems, often requiring investments in technology and training. Additionally, the analysis requires technical expertise for accurate interpretations, possibly necessitating dedicated personnel. Allocating time and effort for consistent monitoring can also be complicated in dynamic educational environments with limited resources (Pilatti *et al.*, 2022);
- c) resistance to change: implementing measures to improve working conditions and promote well-being can encounter resistance in some contexts, including the public sector. Changing organizational culture and established practices can be lengthy and challenging, as many educational institutions have long-standing structures. Introducing new approaches can be seen as disruptive and face resistance from those accustomed to the status quo. The change is further complicated by the need for additional financial resources and the lack of availability for investments in training and infrastructure;
- d) diversity of realities in the IFES: Brazil has vast geographical and cultural diversity, which poses distinct challenges in implementing the well-being policy for education professionals. This diversity extends to the IFES, ranging from newly established institutions with precarious structures to large, century-old universities (Bizerril, 2020). Adapting the policy to the specific needs of each region and stage of development of the IFES can be complex, as practical solutions in one location may not be suitable in another due to different realities and local demands (Lotta, 2019);
- e) implementation timeframe: the full implementation of the policy, which includes the development and approval of plans, can require a considerable period (Lotta, 2019). During this transition period, IFES professionals may continue to face challenges in their work environments, and there may be expectations of immediate results from various stakeholders. The complexity of this process can generate impatience regarding the expected outcomes, as improvements in working conditions and the well-being of education professionals may not be immediately noticeable. The effective transformation of practices and organizational culture can take time and requires a continuous commitment from the IFES to the policy's objectives and investments;

- f) need for intersectoral cooperation: promoting the well-being and health of IFES professionals requires collaboration with other sectors, especially the health sector, to ensure that staff have access to comprehensive physical and mental support. However, coordinating this collaboration is complex due to the separate structures and budgets of different government agencies and institutions, each with its priorities. Furthermore, integrating health services and well-being programs with the education sector requires coordinated strategies, information sharing, and effective communication. Overcoming bureaucratic and administrative barriers is also challenging to ensure efficient access for education professionals to these services, mainly when limited financial resources and funding priorities vary;
- g) supervision and compliance: laws and policies are only as effective as the capacity to supervise and enforce them. However, this process can be challenging in a country with a sizeable territorial extension, such as Brazil, and higher education institutions with university autonomy. Compliance with the provisions of Law 14,681 (Brasil, 2023) requires efficient coordination and adequate resources to supervise and enforce its guidelines in all Brazilian regions and across different IFES. Adequate supervision is not limited to identifying non-compliance but also includes implementing corrective measures and promoting a culture of compliance. This involves training supervisory agents, providing effective channels for complaints, and raising awareness among stakeholders about the rights and responsibilities established by the law;
- h) changes in administration: the continuity of the policy can be affected by changes in government administration. New administrations frequently review existing policies and may alter priorities and resource allocation according to political views (Santos, 2017). This can result in revisions or interruptions of plans and programs developed based on Law 14,681 (Brasil, 2023), creating uncertainties in implementing the well-being, health, and quality of work-life policy for federal public education employees. These changes may impact the effectiveness and consistency of actions aimed at improving working conditions and the well-being of educators;
- i) penalties and lack of indicators in the law: Law 14,681, dated September 18, 2023, establishes that failure to comply with its guidelines will result in a public civil action, by Law 7,347, dated July 24, 1985. This means that institutions and entities involved in implementing the Policy on Well-Being, Health, Quality of Work Life, and Valuing Education Professionals that do not comply with the established guidelines and objectives may be subject

to legal actions to ensure compliance. However, the law does not specify objective indicators to measure progress or success in achieving the established goals and objectives, which may hinder the practical evaluation of the policy's impact and effectiveness.

Recognizing these limitations and challenges is a crucial element for a practical approach, allowing for the continuous improvement of the policy over time. The effectiveness of the law requires constant monitoring, regular evaluations, and the involvement of all stakeholders. These actions are essential to mitigate the limitations and ensure that the policy achieves its goal of enhancing the quality of life and the work environment of education professionals in Brazil.

7 Conclusion

The enactment of Law 14,681 (Brasil, 2023) marks a decisive step toward valuing education professionals and building a healthier, more productive work environment within public institutions of higher education. By setting ambitious objectives and clear guidelines, the Law demonstrates a commitment to strengthening education as an essential pillar for Brazil's social and economic development.

However, the true impact of this Law will depend on the ability to tackle the challenges surrounding its implementation. Overcoming financial, cultural, and operational constraints will not be easy, but it is precisely in this context that the opportunity for transformation arises. Change requires a collective effort, where every stakeholder, from administrators to teachers and students, must assume their role in building a fairer and more efficient educational system.

Despite the ambitious intentions, the current scenario of federal institutions of higher education does not readily suggest that the Law will be easily implemented. The precarious financial reality, the complexity of institutional structures, and regional diversity are significant obstacles that cannot be ignored. Success will depend on mobilizing adequate resources, engaging all stakeholders, and adapting effectively to diverse contexts.

Even so, the effectiveness of the Law will not be measured solely by short-term indicators but by its ability to foster an institutional culture that values the well-being of professionals and the quality of education. Investing in holistic health, professional recognition, and effective management is not merely a matter of justice for educators but a strategy to ensure a brighter future for Brazilian society.

The success of Law 14,681 transcends institutional barriers and points to a new paradigm in education, where the recognition and care of education professionals are seen as fundamental investments for building a more equitable and developed Brazil. Quality education begins with valuing those who make it happen—and the commitment to this transformation must remain unwavering.

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