

Editorial

Human right to decent work

The Instituto Trabalho Digno launches this edition of Revista Laborare, which brings together articles on case studies relating to the human right to work in Brazil. Labor Law arises, logically, from the need to protect the dignity of the human person who works in the face of advances by the contracting party that would occur in an unmeasured way if regulation were solely the responsibility of civil law.

Unlike the equality presupposed in civil contracts, the human factor predominates in the personal provision of services. It is the worker's hyposufficiency, in legal terms, that demands the protective factor of the set of principles and rules that make up labor dynamics.

As we have already expressed in the editorial of the previous edition, labor law aims to guarantee fair and dignified conditions in the context of labor relations. The fundamental right to work resulted in recognition as a human right and demands the necessary protection, promotion, and defense in the face of offensive attitudes to the minimum standard that must be guaranteed to every person who offers their workforce.

It is in this sense that the proposal to present case studies that expose the concrete application of labor standards arises, as labor law is supported by the daily practice of defense and the search for better conditions for the performance of work activities. The human right to decent work includes the guarantee of fair remuneration, safe and healthy working conditions, reasonable workload, protection against discrimination and harassment, the right to freedom of association and collective bargaining, equal opportunities, social security, among others that are essential to guarantee the dignity and well-being of the working person.

Labor rights are enshrined in international human rights instruments, such as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the conventions of the International Labor Organization. They are instruments that recognize decent work as a fundamental right for all people, regardless of origin, sex, race, religion, and other characteristics. By recognizing labor rights as human rights, we seek to strengthen the protection of dignity, equality, and social justice, and thus contribute to a more just and equitable society.

Promoting decent work not only benefits individual workers, but also contributes to economic development, social cohesion, and justice in a society. Therefore, the human right to decent work must be protected and promoted by States, employers, unions, and society to ensure that working people have access to fair, safe and dignified, inclusive and sustainable working conditions.

The articles gathered in this edition of *Laborare* deal with different perspectives of exploration, defense, and promotion of the human right to decent work and invite critical thinking about problems present in legal labor relations. In this issue of *Laborare* we present the Dossier “Case studies: human rights and the right to work in Brazil”, under the coordination of Profa. Dr. Eliana Maria de Souza Franco (UFPA), Profa. Dr. Luanna Tomaz de Souza (UFPA) and Prof. Dr. Emerson Victor Hugo Costa de Sá (UFAM).

We open this edition with the text by Marcelle Pedatelle, who studies the stance of organizations in the face of cases of sexual harassment reports. Afterwards, Márcia Spindler and Filipe Nascimento reflect on the existence of decent work in places considered great for working; Rafael Castro and Shakti Borela analyze aspects related to reproductive work; and Leandro Carvalho and Andreza Smith reflect on homophobia and prejudice in the judicial sphere.

Next, Julia Komka, José da Silva and João Veloso deal with social sanctions as an instrument for protecting human rights; Maurita Ferreira and Cynthia Saldanha discuss the complexity and challenges of post-rescue enslaved domestic workers; and Walneide

da Silva and Nazaré Sacramento deal with the effectiveness or ineffectiveness of labor compliance as an instrument for preventing and combating harassment.

Focusing on combating inequality and discrimination in the workplace, Fernando Cabral addresses the programmatic barriers against people with disabilities in accessing public positions in a selection process aimed at entering the Labor Judiciary career; and João Resque, Marcelo Nascimento and Wanessa da Silva delve deeper into the study of asymmetries between direct employees and outsourced employees in the electricity sector.

Concerned about human rights violations of teenagers and young football athletes, Lucilene Pacini and Gerson Rabelo reflect on issues that turn dreams into nightmares. In turn, Tiago Bentes examines the influences of neoliberalism on the production chain of recyclable materials in the work conducted by solid waste collectors in landfills; and Silvio Teixeira proposes ways of emancipating people rescued or vulnerable to contemporary slavery, focusing on the Integrated Action Project.

Maria Pimentel and Luciana Teixeira focus on the discussion on the exception of article 62, II, of the Consolidation of Labor Laws in the face of the right to disconnection of managers and occupants of management positions. The protection of mothers of children with disabilities in the labor market is the subject of study by Thays de Melo, regarding judgment with a gender perspective.

Finally, Hilana Pereira and Dercylete Loureiro tackle the issue of trans and transvestite women in sex work in conditions like those of slaves; while Alana Valente and Sandra Guimarães discuss the human dignity of “family children” and the right not to be humiliated.

Theory is not enough. It is necessary to move forward with the implementation of labor standards at the factual level. This edition of *Laborare* reinforces the idea that Labor Law must be socially referenced and critically thought out, so that the human right to decent work is more than a promise and becomes a reality within the scope of labor relations.

Good reading!