

**INFORMAL EMPLOYMENT AMONG
YOUTHS
IN BRAZIL**

2015

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ABBREVIATIONS

Acessuas Trabalho Programa Nacional de Promoção do Acesso ao Mundo do Trabalho (National Programme to Promote Access to the Labour Market)

AMB	Associação dos Magistrados Brasileiros (Brazilian Association of Magistrates)
ANPG	Associação Nacional de Pós-Graduandos (National Association of Postgraduate Students)
ANTD	Agenda Nacional do Trabalho Decente (National Decent Work Agenda)
ANTDJ	Agenda Nacional do Trabalho Decente para a Juventude (National Decent Work Agenda for Youths)
ATC	Atletas pela Cidadania (Athletes for Citizenship)
BPC	Benefício de Prestação Continuada (Continuous Provision Benefit)
BPC Shools	Benefício de Prestação Continuada na Escola (Continuous Provision Benefit for Schools)
BPC Labor	Benefício de Prestação Continuada Trabalho (Continuous Provision Benefit for Labour)
BVJ	Benefício Variável Jovem (Variable Benefit for Young People)
CEUs	Centros de Artes e Esportes Unificados (Unified Arts and Sports Centres)
CF	Constituição Federal (Federal Constitution)
CLT	Consolidação das Leis do Trabalho (Consolidation of Labour Laws)
CNA	Confederação Nacional da Agricultura e Pecuária (National Confederation of Agriculture and Livestock)
CNC	Confederação Nacional do Comércio de Bens, Serviços e Turismo (National Confederation of Commerce of Assets, Services and Tourism)
CNETD	Conferência Nacional de Emprego e Trabalho Decente (National Conference on Employment and Decent Work)
CNI	Confederação Nacional da Indústria (National Confederation of Industry)
CNJ	Conferência Nacional da Juventude (National Conference on Youth)
CNPJ	Cadastro Nacional de Pessoa Jurídica (National Legal Entity Registration Number)
CNT	Confederação Nacional dos Transportes (National Confederation of Transport)
COFINS	Contribuição para Financiamento da Seguridade Social (Social Security Financing Contribution)
CONANDA	Conselho Nacional dos Direitos da Criança e do Adolescente (National Council for the Rights of Children and Adolescents)
Conjuve	Conselho Nacional da Juventude (National Council on Youth)
CONTAG	Confederação Nacional dos Trabalhadores na Agricultura (National Confederation of Agricultural Workers)
CRAS	Centro de Referência de Assistência Social (Reference Centre for Social Assistance)
CREAS	Centro de Referência Especializado de Assistência Social (Specialized Reference Centre for Social Assistance)
CSLL	Contribuição Social sobre o Lucro Líquido (Social Contribution on Net Profit)
CTB	Central de Trabalhadores do Brasil (Brazilian Workers Centre)
CUT	Central Única Dos Trabalhadores (Unified Workers Centre)
DAP	Declaração de Aptidão ao Pronaf (Statement of Qualification for Pronaf)
Dataprev	Empresa de Tecnologia e Informações da Previdência Social (Social Security Information and Technology Company)
DIEESE	Departamento Intersindical de Estatísticas e Estudos Socioeconômicos (Inter-Union Department of Statistics and Socioeconomic Studies)
Disoc	Diretoria de Estudos Sociais (Management of Social Studies)
EC	Emenda Constitucional (Constitutional Amendment)
EJA	Educação de Jovens e Adultos (Education of Young People and Adults)
Enem	Exame Nacional do Ensino Médio (National High School Exam)
ESF	Estratégia Saúde da Família (Family Health Strategy)
FEBRABAN	Federação Brasileira dos Bancos (Brazilian Federation of Banks)
FGTS	Fundo de Garantia por Tempo de Serviço (Length of Service Guarantee Fund)
FIES	Financiamento Estudantil (Study Financing Fund)
FS	Força Sindical (Union Power)
HIV	Human Immunodeficiency Virus

IBGE	Instituto Brasileiro de Geografia e Estatística (Brazilian Institute of Geography and Statistics)
ICMS	Imposto sobre Circulação de Mercadorias e Prestação de Serviços (Tax on Goods and Services)
Inep	Instituto Nacional de Estudos e Pesquisas Educacionais (National Institute of Education Studies and Research)
INSS	Instituto Nacional do Seguro Social (National Institute of Social Security)
Ipea	Instituto de Pesquisa Econômica Aplicada (Institute of Applied Economy Research)
IPI	Imposto sobre Produtos Industrializados (Tax on Industrialized Products)
ISJB	Inspetoria São João Bosco (São João Bosco Inspectorate)
ISS	Imposto Sobre Serviços (Tax on Services)
LC	Lei Complementar (Complementary Law)
LGBT	Lesbian, Gay, Bisexual, and Transgender
MCTI	Ministério da Ciência e Tecnologia (Ministry of Science and Technology)
MDA	Ministério do Desenvolvimento Agrário (Ministry of Agricultural Development)
MDS	Ministério do Desenvolvimento Social (Ministry of Social Development)
MEC	Ministério da Educação (Ministry of Education)
MEI	Microempreendedor Individual (Individual Microentrepreneur)
MP	Ministério do Planejamento (Ministry of Planning)
MPS	Ministério da Previdência Social (Ministry of Social Security)
MTE	Ministério do Trabalho e Emprego (Ministry of Labour and Employment)
NASF	Núcleo de Apoio à Saúde da Família (Family Health Support Centre)
NCST	Nova Central Sindical de Trabalhadores (New Worker Union Centre)
ILO	International Labour Organization
NGOs	Non-Governmental Organizations
UN	United Nations
Pajur	Programa de Fortalecimento da Autonomia Econômica e Social (Economic and Social Autonomy Strengthening Programme)
PBF	Programa Bolsa Família (Family Allowance Programme)
PBP	Programa de Bolsa Permanência (Fund for Higher Education Student Continuity)
PEC	Proposta de Emenda Constitucional (Constitutional Amendment Proposal)
PET	Programa de Educação Tutorial (Higher Education Improvement Programme)
PETI	Programa de Erradicação do Trabalho Infantil (Child Labour Eradication Programme)
PIS	Programa de Integração Social (Social Integration Program)
PLS	Projeto de Lei do Senado (Senate Law Project)
PNAD	Pesquisa Nacional por Amostra de Domicílios (National Home Sample Survey)
PNBE	Programa Nacional Biblioteca da Escola (National Programme of School Libraries)
PNDH	Programa Nacional de Direitos Humanos (National Programme of Human Rights)
PNLD	Programa Nacional do Livro Didático (National Programme of Didactic Books)
Projovem	Programa Nacional de Inclusão de Jovens (National Programme for Youth Inclusion)
PRONACAMPO	Programa Nacional de Educação do Campo (National Programme for Education to Rural Population)
Pronaf	Programa Nacional de Fortalecimento da Agricultura Familiar (National Programme for Strengthening Family Farming)
Pronatec	Programa Nacional de Acesso ao Ensino Técnico e Emprego (National Programme of Access to Technical Training and Employment)
Prouni	Programa Universidade para Todos (University for All Programme)
PSIC	Plano Simplificado de Inclusão Previdenciária (Simplified Plan for Social Security Inclusion)

Reuni	Programa de Apoio a Planos de Reestruturação e Expansão das Universidades Federais (Programme to Support Federal University Restructuring and Expansion Plans)
SCFV	Serviço de Convivência e Fortalecimento de Vínculos (Service of Interaction and Bond Strengthening)
Sebrae	Serviço Brasileiro de Apoio às Micro e Pequenas Empresas (Brazilian Service to Support Micro and Small Businesses)
Senac	Serviço Nacional de Aprendizagem Comercial (National Service of Commercial Training Service)
SENAI	Serviço Nacional de Aprendizagem (National Service of Industrial Training)
SENAR	Serviço Nacional de Aprendizagem Rural (National Service of Farming Training)
SEPPIR	Secretaria de Políticas para Igualdade Racial (Secretariat of Racial Equality Policies)
Sesc	Serviço Social do Comércio (Social Service of Commerce)
Sescoop	Serviço Nacional de Aprendizagem do Cooperativismo (National Service of Cooperative Training)
SESI	Serviço Social da Indústria (Social Service of Industry)
SEST	Serviço Social de Transporte (Social Service of Transport)
SiMEC	Sistema Integrado de Monitoramento, Execução e Controle (Integrated System of Monitoring, Execution and Control)
SisProuni	Sistema do Programa Universidade para Todos (System of Universities for All Programmes)
SNJ	Secretaria Nacional da Juventude (National Youth Secretariat)
SPM	Secretaria de Políticas para Mulheres (Secretariat of Policies on Women)
SRFB	Secretaria da Receita Federal do Brasil (Secretariat of the Internal Revenue Service of Brazil)
SUAS	Sistema Único de Assistência Social (Unified System of Social Assistance)
UBES	União Brasileira de Estudantes Secundaristas (Brazilian Union of High School Students)
UERJ	Universidade Estadual do Rio de Janeiro (State University of Rio de Janeiro)
UGT	União Geral dos Trabalhadores (General Workers Union)
UNE	União Nacional dos Estudantes (National Students Union)

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1 - Introduction

In 2003, when the International Labour Organization (ILO) and the Brazilian government signed a Memorandum of Understanding for the creation of a National Decent Work Agenda for Youths (ANTDJ) in the country, it was not possible to foresee the dimensions this commitment would assume. Three years later, in 2006, Brazil launched the National Decent Work Agenda (ANTD), which defined four priorities: the generation of more and better jobs; offering equal opportunities and treatment; eradication of slavery and child labour, particularly in its worst forms; and strengthening tripartite actors and social dialogue as instruments of democratic governability.

In June 2009, the Brazilian government strongly promoted decent work for young people with the creation of a Subcommittee for the National Decent Work Agenda for Youths (the ANTDJ Subcommittee) to develop a specific agenda for Brazilian youths. The work of the Subcommittee was concluded in 2010, and the results highlighted four priorities in the promotion of decent work for young people: 1) more and better education; 2) balance of study, work and family life; 3) active and dignified insertion into the labour market; and 4) promotion of social dialogue.¹

The economic recovery that started in Brazil in 2004 was characterised by reduced inequality and poverty and more opportunities for insertion into the labour market, especially for young people. Despite this progress, the pattern of labour insertion of young Brazilians involves many challenges that need to be addressed to achieve the ANTDJ objectives. Data published by the National Home Sample Survey (PNAD) in 2013 showed that 63% of young Brazilians were inserted into the labour market. About 70% of the group aged 18 to 24 years were among the working population, and among young people aged 25 to 29 years, this rate reached 80%. The main characteristics of this labour insertion pattern can be summarized as follows:

¹According to this agenda, any type of insertion into the labour market before the age of 16 years should be eradicated, except for the situations defined in the Law of Learning (Law 10.097/2000) for adolescents aged 14 and 15 years.

1. Unemployment. According to information from the Institute of Applied Economy and Research (Ipea) Labour Market Newsletter (2013), for the period between January 2003 and September 2010, 4.85% of individuals aged 25 to 65 years were unemployed, while for young people aged 18 to 24 years, the unemployment rate was 17.21%.
2. High turnover. According to Ipea researchers, younger workers lost their jobs more frequently than older workers. The survey showed that the separation rate² reached 72.4%. That is, seven out of ten younger workers left their jobs in a one-year period; the separation rate for older workers was about 41.3%.
3. High informality rate. In 2013, the informality rate for the population aged 15 to 29 years was about 2 percentage points greater than for adults aged 30 to 65 years. However, the disparity was much greater when ethnicity/skin colour was taken into account. For white and yellow workers, the average proportion of informal workers was 41.2%, while for black, brown and indigenous workers, this proportion was 56.3%, 15 percentage points higher.
4. Working hours higher than 44 hours per week. According to data from the International Labour Organization (2009), one-third of young workers in Brazil worked more than 44 hours a week, making it difficult to combine work and study.
5. Gender inequality. Young women with children have family duties in addition to work responsibilities, according to information presented in Brazil (2007).
6. Low remuneration. Data from PNAD (2013) showed that about 10% of the working population aged 30 to 65 years received less than one minimum wage; in the group aged 15 to 29 years, this proportion was 16.2%. The situation was more serious when the disparities between the age subgroups of young people were analysed. Half the working young people (50.9%) aged 15 to 17 years received less than one minimum wage in 2013. Among young people aged 18 to 19 years, this proportion was 23.1%.

² Total number of terminations of employment/total number of workers employed.

Regarding the complexity of the challenges involved in the current dynamics of insertion of young people into the labour market, Brazil has made some progress. Labour informality for young people aged 15 to 29 years decreased, from 55.2% to 31.2%, between 2001 and 2013; the illiteracy rate of people aged 15 years and older decreased, from 12.4% to 8.3%, in the same period; and child labour decreased 10.8% for children aged 10 to 15 years, and 15.7% for adolescents 16 or 17 years old.

As shown in the present report, this progress is to a large extent the result of nationwide social programmes for young people, such as the National Programme of Access to Technical Training and Employment (Pronatec), the National Programme for Youth Inclusion (ProJovem), the University for All Programme (Prouni), and the Child Labour Eradication Programme (PETI). Regarding this progress in the governmental dimension, it is important to highlight that both the private sector and national worker associations have been critical of these programmes.

Now, more than four years after trade union membership was launched, it is important to monitor the actions and programmes implemented, which have been credited with the progress achieved to date in reducing informality among young people. In addition, it is necessary to see which of these actions require additional adjustments and efforts to keep making a difference in achieving the ANTDJ priorities.

This report provides important information. First, it presents a diagnosis of the informality situation among young people in Brazil, considering their educational level and sociodemographic characteristics; then it presents a description and brief analysis of the main programmes and governmental actions focused on training for young people. Considering the background of high informality among young people, it presents the main initiatives of the Brazilian government aiming to increase opportunities for formal employment, with measures and strategies to expand worker formalisation, such as domestic work regulations. It also presents the main mechanisms that prevent informality from becoming an obstacle to social security policies, such as programmes for access to social security coverage and other cash transfer programmes, such as the Continuous Provision Benefit (BPC) and Family Allowance Program (PBF).

The actions and policies highlighted here directly or indirectly help reduce labour informality among young people and improve access to decent, dignified and safe work. The promotion of decent work also involves debates on social integration and development, freedom of speech, and organization and participation; for this reason, this report highlights the importance of an environment for social dialogue, in which the issues of the National Decent Work Agenda for Youths can be discussed and agreed on.

2 - Progress in reduction of informality among young people in Brazil

The purpose of this section is to discuss progress in the reduction of informality in the Brazilian labour market from 2001 to 2013, with a special focus on young people. The Brazil Statute for Youths (2013) defines young people as those between 15 and 29 years of age. Discussions regarding public policies usually divide young people into three age groups: 15 to 17, 18 to 24, and 25 to 29 years of age.

In this section, however, young people aged 18 and 19 years will be considered separately. They are an unusual group of youths. In Brazil, turning 18 years old is a symbolic and legal milestone, ensuring different status for individuals. Besides reaching legal adulthood, young people at this age tend to complete high school (an expected situation, considering the usual educational trajectory). They are ready to start a new phase in their lives by taking on new training, starting higher education or entering the labour market.

Data³ from Table 1 show that informality⁴ decreased among young people and adults from 2001 to 2013. For adults, the decrease was 24.4%, from 47.9% to 36.2%; more than one-third of working adults were in the informal sector. For young people in general, aged 15 to 29 years, the decrease in informality was higher, at about 30.8%, leading to a convergence of the rates between young people and adults. The difference, more than 7 percentage points in 2001, was less than 2 percentage points in 2013.

Two factors contributed to that reduction: a culture of social rights, consolidated in the 1988 Federal Constitution, and a long period of economic

³ These historical series are all developed by Ipea based on microdata from PNAD surveys conducted by IBGE.

⁴ Informality rate = (self-employed not social security payer + no labour records + not remunerated)/working population.

growth (2000 to 2013), which invigorated the market, allowing it to absorb new rules for employment formalisation.

Table 1. Informality rate among young people and adults (%)

	2001	2013	Difference
Adults (aged 30 to 65 years)	47.90	36.23	-24.4%
15 to 17	86.75	76.53	-11.8%
18 to 19	63.29	45.95	-27.4%
20 to 24	50.87	35.20	-30.8%
25 to 29	46.81	31.70	-32.3%
<u>All young people (15 to 29 years)</u>	<u>55.17</u>	<u>38.16</u>	<u>-30.8%</u>

Source: PNAD/IBGE. Developed by: Ipea.

Young people aged 15 to 17 years present very high informality rates when compared to other age groups. However, this information should be considered in context. The legislation that regulates the insertion of these young people into the labour market is different from the legislation that applies to other groups. Under these laws, labour is prohibited for people under 14 years of age and, until they reach 15 years of age, they can work only as apprentices. Adolescents 16 and 17 years old are allowed to work, but not in unhealthy conditions or on night shifts, and provided their school attendance is not impacted. This reflects the ideal situation for young people in this stage of life, allowing more time for education or combining it with work. It is acceptable for young people aged 15 to 17 years to just study, or perhaps simultaneously perform some activities to receive money.

Except for situations of poverty and privation in which young people are forced to work to help their families, young people aged 15 to 17 years are in a stage where they want to “learn about life,” which involves a strong desire for autonomy, freedom and emancipation, and a desire for new experiences. Many risks exist for these young people, who are often still immature; trying and getting involved with illicit substances, such as alcohol and drugs, in a context of increasing violence, has been seen in Brazil in recent years. In addition to concerns about child labour, the State and society prioritize young people’s education⁵ and the creation of alternatives to occupy their time and keep them away from these and other risks.

⁵ The 2010 the Brazilian Census showed that among 10 million young people aged 15 to 17 years, about one million did not attend school and had not completed their basic education, indicating a gap in public policy actions focused on this age group.

The group aged 18 to 19 years is unusual, as noted above. This age is the starting point for the formal labour market, because it is when one can legally assume a formal job, like an adult. However, these young people present a high level of informality, which indicates difficulties in insertion into a first job. This is an issue that demands more effort from public authorities to improve early employment experience.

After 20 years of age, young people overcome the challenges of labour insertion that they experienced when they were 18 and 19 years old. Their levels of informality are then similar to those in the general labour market, or even more favourable, as seen when comparing them to adults aged 30 to 65 years (Table 1). This may be because of relatively recent increases in educational level⁶, which is often higher among young people than adults. However, despite the decreased informality rate, about one-third of all Brazilian workers are still working without formal labour protection. This is also applicable to young people, with 18 and 19 year olds being the most impacted group, as discussed above.

2.1 – Educational level and informality

A clear correlation is observed between informality and educational level. People with higher levels of education show lower rates of informality. Table 2 shows that, for all ages, the higher the educational level of young people, the lower their informality rate. During the period analysed, reduced informality was observed for general groups, including for people who did not complete fundamental education⁷. In this group, 64.3% worked informally in 2013, an 11.6% reduction when compared to the rate in 2001. For young people who completed 8 to 10 years of school, the informality rate also decreased in this period. The group that completed high school, besides having the lowest rate of informality (26.6% in 2013), also presented an 18.9% reduction in the informality rate, the greatest reduction in the period studied.

⁶ The universalisation of basic education occurred in the 1990s, and the expansion of high school and higher education in the 2000s.

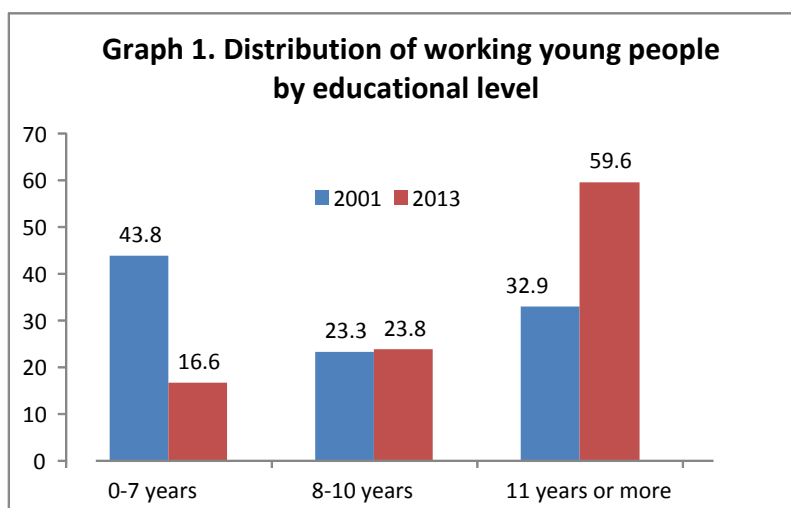
⁷ “Fundamental education” is mandatory in Brazil, and consists of grades 1 through 9.

Table 2. Informality rate among young people by educational level (%)

0 to 7 years (fundamental education not completed)			
	2001	2013	Difference
15 to 17	93.39	90.88	-2.7%
18 to 19	81.30	69.78	-14.2%
20 to 24	68.78	58.36	-15.2%
25 to 29	64.64	57.85	-10.5%
All young people (15 to 29 years)	72.82	64.34	-11.6%
8 to 10 years (fundamental education completed/high school not completed)			
	2001	2013	Difference
15 to 17	76.31	72.58	-4.9%
18 to 19	58.12	50.33	-13.4%
20 to 24	48.09	41.52	-13.7%
25 to 29	42.70	40.34	-5.5%
All young people (15 to 29 years)	53.60	48.91	-8.8%
11 years (high school completed)			
	2001	2013	Difference
15 to 17	54.50	43.22	-20.7%
18 to 19	41.96	33.95	-19.1%
20 to 24	35.01	28.31	-19.1%
25 to 29	27.85	23.31	-16.3%
All young people (15 to 29 years)	32.77	26.56	-18.9%

Source: PNAD/IBGE. Developed by: Ipea.

Similar to the increase in the educational level of young people, the proportion of working youths who have not completed fundamental education (0 to 10 years) decreased significantly, from 43.8% in 2001 to 16.6% in 2013, i.e., a 62% reduction. However, an 81% increase was observed in the percentage of young people who completed at least high school (11 years or more); the rate increased from 32.9% in 2001 to 59.6% in 2013 (Graph 1).



If higher educational levels mean lower informality, then a dilemma appears when combining study and work for young people who need an income or want to expand their education. Combining study and work increases the probability of demand for part-time jobs for young people, as they have to share their time between these two activities. Table 3 shows that only young people who work present lower informality than those who combine study and work, except for 15 to 17 year olds.

Table 3. Informality rate among young people by age group and work/study situation

Work only	2001	2013	Difference
15 to 17	87.91	76.82	-12.6%
18 to 19	61.61	42.71	-30.7%
20 to 24	50.58	34.58	-31.6%
25 to 29	47.61	32.16	-32.4%
All young people (15 to 29 years)	52.07	35.30	-32.2%
Combine study and work	2001	2013	Difference
15 to 17	86.30	76.42	-11.4%
18 to 19	65.54	52.06	-20.6%
20 to 24	51.87	37.49	-27.7%
25 to 29	40.98	27.79	-32.2%
All young people (15 to 29 years)	63.41	48.14	-24.1%

Source: PNAD/IBGE. Developed by: Ipea.

This happens because part-time jobs⁸ increase the likelihood of informality, as indicated in Table 4. This may be associated with precarious situations related to part-time jobs, which more directly affect young people who try to combine study and work, as discussed above.

Table 4. Informality among young people by working hours

Part time	2001	2013	Difference
15 to 17	94.71	84.62	-10.7%
18 to 19	86.71	77.71	-10.4%
20 to 24	78.50	69.88	-11.0%
25 to 29	71.33	63.75	-10.6%
All young people (15 to 29 years)	81.56	71.78	-12.0%
Full time	2001	2013	Difference
15 to 17	80.92	68.45	-15.4%
18 to 19	56.99	37.19	-34.7%
20 to 24	45.46	28.06	-38.3%
25 to 29	42.23	25.92	-38.6%
All young people (15 to 29 years)	48.66	30.08	-38.2%

Source: PNAD/IBGE. Developed by: Ipea.

2.2 - Informality and sociodemographic characteristics: gender, ethnicity/skin colour and dwelling situation

Gender

The informality rates for young men and women are very similar and show the same 30% reduction between 2001 and 2013. However, the disparities between genders in young people aged 18 to 19 years deserve closer attention. This is probably because men are more often required to combine study and work than women. A well-known example is that women, when compared to men, have lower employment rates, but higher educational levels.

Table 5. Informality among young people by gender

Men	2001	2013	Difference
15 to 17	87.89	78.39	%
18 and 19	65.05	47.68	%

⁸ If self-employed workers do not have specific working hours, we consider a part-time job to be when someone works less than 30 hours a week, and a full-time job to be when someone works more than 30 hours a week.

20 to 24	50.73	34.96	%
25 to 29	45.84	31.73	%
All young people (aged 15 to 29 years)	55.40	38.78	-30.0%

Women	2001	2013	Difference
15 to 17	84.74	73.46	-13.3%
18 and 19	60.40	43.22	-28.4%
20 to 24	51.09	35.52	-30.5%
25 to 29	48.29	31.66	-34.4%
All young people (aged 15 to 29 years)	54.82	37.29	-32.0%

Source: PNAD/IBGE. Developed by: Ipea.

Ethnicity/Skin colour

Table 6 shows that white young people present a lower informality rate than black young people, in all age groups⁹. A reduction was observed in this period in both groups, but a greater reduction was seen for white young people (33.0% versus 31.5% for black young people), increasing the inequality already observed in 2001.

The informality rate showed great variation when comparing the age of these two groups. Very young people (15 to 17 years) and older youths (25 to 29 years) presented increased inequality. In the other two age groups (18 to 19 and 20 to 24 years), inequality presented the opposite tendency, as black young people showed a greater informality reduction than white young people.

⁹ To analyse the question of ethnicity/skin colour in PNAD, we've defined two larger groups: white young people and black (black + brown) young people. As yellow and indigenous people are not representative groups in the general population in Brazil, few cases appear among the samples. We combined yellow young people with white young people, and indigenous young people with black young people.

Table 6. Informality among young people by ethnicity/skin colour

White & yellow young people	2001	2013	Difference
15 to 17	81.14	67.83	-16.4%
18 to 19	53.75	38.87	-27.7%
20 to 24	43.01	29.40	-31.6%
25 to 29	39.60	25.69	-35.1%
All young people (15 to 29 years)	47.05	31.51	-33.0%
Black, brown & indigenous young people	2001	2013	Difference
15 to 17	91.82	82.81	-9.8%
18 to 19	73.37	51.73	-29.5%
20 to 24	60.05	40.48	-32.6%
25 to 29	55.39	37.16	-32.9%
All young people (15 to 29 years)	64.31	44.02	-31.5%

Source: PNAD/IBGE. Developed by: IPEA.

Dwelling situation

Focusing on the different dwelling situations (urban or rural)¹⁰, it should be noted that in Brazil there is a category of “special security”: rural workers who work on family farms. This category includes spouses, partners and children above 16 years of age who work on family farms, and small-scale fishermen and indigenous people who perform any rural activity. Workers in this category have the right to sickness benefits, disability pensions, old-age pensions, contributory pensions, maternity benefits, survivor pensions and prisoner’s survivor benefits¹¹.

According to the law, workers living in rural areas who engage in farming activities under the family farm system have special security, regardless of whether they are regular contributors to social security. Because they are especially insured workers, some rural workers are not actually unprotected, a typical situation of informality, as considered under the criteria used so far. To determine the number of informal agricultural workers, self-employed non-taxpayers and unpaid persons, as they are considered special insured workers. This procedure is used in an attempt to estimate the effects of the special security law in the rural and agricultural universe, based on data from PNAD. Conversely, to

¹⁰ Urban and rural areas in Brazil are locally defined. Every municipality, through its Municipal Chamber, adjusts these limits according to their occupation dynamics. IBGE adopts the definitions used by the census for a period of ten years, in the “frozen” form, for all PNADs of the following decade. PNAD 2001 used the limits in force in 2000 and PNAD 2013 used the limits in force in 2010.

¹¹ The category of special security was incorporated into the legislation to balance the labour situations of the two main categories, which are in dispute in the Brazilian agriculture: business farms, with the same formal labour relations as in the urban area; and family farms, whose activities are performed by family members on small rural properties.

estimate informality for people in non-farming activities, the same criterion used for urban workers is applied.

The results based on these criteria are presented in Table 7. In 2001, young people living in rural areas showed a lower informality rate than young people living in urban areas. In 2013, the informality rate among rural young people remained virtually unchanged, with a small increase from 34.8% in 2001 to 36.3% in 2013. The informality rate among urban young people showed a significant reduction in the same period, from 49.0% to 32.2%.

Table 7. Informality among young people by dwelling situation(%)

Urban	2001	2013	Difference
15 to 17	82.5%	71.1%	-13.9%
18 to 19	57.0%	40.9%	-28,2%
20 to 24	45.2%	29.2%	-35.4%
25 to 29	41.1%	25.8%	-37.2%
All young people (15 to 29 years)	49.0%	32.2%	-34.3%

Rural	2001	2013	Difference
15 to 17	31.9%	39.1%	22.6%
18 to 19	38.6%	40.6%	5.0%
20 to 24	36.9%	36.2%	-1.9%
25 to 29	32.5%	33.7%	3.7%
All young people (15 to 29 years)	34.8%	36.3%	4.5%

Source: PNAD/IBGE. Developed by: Ipea.

The effects of special security are seen particularly among young people aged 15 to 17 years, as informality in this group is much lower than among urban young people. This is because most of these young people work for their own consumption or as non-remunerated workers on family farms, as special insured workers.

A greater increase in informality among these rural young people between 2001 and 2013 occurred because most of them started to perform non-farming activities without labour documents. This may be a result of the great increase in these activities during that period.

In general, the data discussed here show a trend toward improved formalisation rates in labour relations in Brazil, including young people, despite the more vulnerable situations experienced by some groups. All these improvements occurred because of a period of economic growth. However, i Brazil presented a growth rate near zero in 2014, and the scenario for the future is very

alarming. In this new reality, the bases of previous achievements may have to be questioned. The country faces challenges to progress in initiatives specifically focused on improving youth labour insertion and providing the right macroeconomic conditions for these initiatives to produce long-term results.

3 - Government programmes and actions for training and qualification of young people

We could say that chances of inserting young people into the labour market, under decent conditions, and allowing them to exercise their full citizenship, increase with higher levels of education. However, even today, a significant portion of young Brazilians have not even completed fundamental education, which is the first stage of basic education. According to the 2013 PNAD, 22% of the population aged 15 to 29 years were in this situation. And 41% of young people aged 18 to 29 years had not completed high school, which corresponds to the final stage of basic education.

In an attempt to change this situation, Law 12.796 was approved on 4 April 2013. It increased the length (4 to 17 years) of compulsory, free basic education, which allowed adolescents aged 15 to 17 years, who are the first age group of so-called youths, to receive the right to free education.

The educational level of these adolescents was also analysed for the 2013 PNAD, which found that 15.7% of young people aged 15 to 17 years were not attending school (around 1.7 million). This is an alarming statistic, once 83.6% of that population had not yet completed basic education, that is, 1.4 million adolescents.

For this reason, the nation faces the challenge of ensuring access for children and young adolescents to preschool and fundamental and high school education and expanding professional education offerings. The states and municipalities must strengthen their role of coordination in the territories, conducting active searches, promoting integrated school registrations, and incorporating instruments for monitoring and continuous assessment in collaboration with the federal government. The state and municipal authorities should also develop and expand restructuring of their school systems, aiming to offer integrated education; in this context, one strategic solution is to consider

collaboration between schools and various public entities and educational, cultural and sports areas, guiding pedagogic projects of schools in this direction.

To expand the educational level of young Brazilians, the National Programme for Youth Inclusion began in 2005 and was reformulated in 2008, when it was renamed ProJovem Urbano. It focuses on young people aged 18 to 29 years who know how to read and write and have not completed fundamental education. This programme offers education for young people and adults, providing professional training and financial support in the amount of BRL 100 per month for duration of the training (18 months) to students who prove minimum school attendance of 75%.

The reach of ProJovem Urbano can be measured by the 105,000 young people who registered from June 2012 to December 2013 for courses offered in 319 Brazilian municipalities in 16 states. In the following year, the number of registrations decreased, but even so, 97,000 students registered for the programme.

However, the potential target population for ProJovem Urbano is considerably larger. According to the 2013 PNAD, 14% of young people aged 18 to 29 years living in urban areas were not attending school and had not completed fundamental education; in absolute numbers, that was around 4.6 million people.

There is no doubt that without this minimum formal education, these young people will have limited opportunities to exercise citizenship in their adult lives. The challenge is to ensure their re-entry into the education system and the continuity and completion of basic education.

For young people who attend school or have already completed basic education, opportunities for professional training increased, at the technician (high school) level, with the creation of the National Programme of Access to Technical Education and Employment by Law 11.513 of 26 October 2011. Under this legislation, several activities were created and unified for professional training at the high school level to expand and democratize the offering of professional and technological training across the country.

According to data from the Ministry of Education (MEC), in the period 2011 to 2014, more than 8 million students registered for technical courses and initial and continuing education through Pronatec.

In higher education, progress has been seen not only in quantitative terms, but also in the doubling of the number of registrations for in-person courses in 2001-2013 (from 3 million to 6.2 million); this resulted in an increase in school attendance, from 8.9% to 16.5% in the same period, and especially the expansion of access for historically marginalized population segments (low-income population, black people).

Restricted access to higher education for young Brazilians begins with the admission process, especially the traditional entrance examination. It is the last mechanism for excluding students who were able to overcome obstacles to completion of basic education.

Considering that the number of places offered in higher education is still insufficient in public institutions, and that private schools are expensive, intervention by public power is required to equalize opportunities for access to this educational level.

Initiatives focused on this objective have been implemented since the second half of the 1990s, such as the Study Financing Fund (Fies), created in 1999, and the University for All Programme (Prouni), created in 2004 and implemented in the following year, which have helped democratize access to higher education.

At first, Fies required guarantors to release funds and provide a minimum income level, which promoted restricted access to this type of financing. Therefore, the coverage from this type of fund became insufficient for private sector expansion and inappropriate in some ways to the socioeconomic profile of new students.

However, in March 2010, changes were made to the financing conditions for students, starting with a reduction of the interest rate to 3.4% per year for agreements made from that time forward, and application of this interest rate to the balance due on agreements made before that time. In addition, exemption from debt amortization was introduced for those who opted for bachelor's degree courses. With these new rules, the number of applications for this financing doubled in 2010 and 2011.

Prouni grants full or partial (50% or 25%) scholarships to students of graduate and sequential courses for specific training offered by private higher education institutions. The target population is high school students from public or

private schools (for those with full scholarship) with a monthly household income per person of a maximum of three minimum wages, and basic education teachers from public schools for bachelor's degree courses. Private institutions that adhere to the programme and offer scholarships receive exemption from some federal taxes.

Candidates for the programme are initially selected by a computerized system (SisProuni) based on scores obtained on the National High School Exam (Enem) and socioeconomic profiles. In the final selection stage, the criteria are defined by the educational institutions.

The joint actions of Prouni should be highlighted, as they promote student continuity in institutions. These include the Fund for Higher Education Student Continuity (PBP), the training programmes of the Ministry of Education/Caixa Econômica Federal and the Brazilian Federation of Banks (FEBRABAN), and the Study Financing Fund, a programme providing higher education financing to students who cannot afford the training courses, allowing students with partial funding to finance the amount not covered by the programme.

The Fund for Higher Education Student Continuity is a federal government programme that provides financial support for higher education for students in situations of socioeconomic vulnerability, indigenous students and students from *quilombolas*¹². The fund is paid directly to graduate students using a benefit card.

The amount of this fund is defined by the Ministry of Education and is equivalent to the grant provided by the federal policy for research scholarships, currently BRL 400. A different amount is defined for indigenous students and students from *quilombolas*, which corresponds to at least twice the amount paid to other students, due to the specifics of the social organization of their communities, geographical situation, habits, languages, beliefs and traditions, supported by the Federal Constitution.

Besides promoting the continuity of students in situations of socioeconomic vulnerability, the PBP also allows its beneficiaries to receive other types of scholarships, such as those offered by the Higher Education Improvement Programme (PET), which promotes research scholarships.

¹² *Quilombolas* are hinterland settlements founded by people of African origin who were escaped slaves

Prouni ended 2014 with the greatest number of scholarships granted since it was created on 13 January 2005. In the two selection periods conducted in 2014, around 307,000 scholarships were granted, and two-thirds were full-fee scholarships for students whose monthly household income per person was up to 1.5 minimum wages.

Regarding effective use of scholarships by students, consolidated data from SisProuni showed that in the period 2005-2013 the programme graduated more than 1.3 million students. Among these beneficiaries of Prouni, 873,600 students received full-fee scholarships (69%) and 400,000 received partial-fee scholarships (31%).

Data from the Ministry of Education showed that the proportion of students with public support for accessing higher education corresponded to about 43% of all students on in-person graduate courses in 2012. For comparison, in the first year after the implementation of Prouni, this proportion corresponded to only 17% of all students.

For the same period, when students who received graduate course scholarships or Fies support and were admitted to public institutions were added, the rate of students with some type of public support increased to about 57%. When considering the number of registrations, this rate is 53%.

Another important issue is the admission of young black students and low-income students to higher education courses. Considering the period 2005-2013, whose first year corresponds to the implementation of Prouni, access to higher education for these young people grew rapidly, as indicated in Table 8.

Table 8 - Net attendance rate in higher education for population aged 18 to 24 years by skin colour/ethnicity and income, Brazil, 2005-2013 (%)

	2005	2013	var. %
White	17.5	23.7	35.2
Black	5.5	10.8	95.2
Population with up to 1 min. wage	2.4	7.5	215.8

Source: PNAD/IBGE
Developed by: Disoc/Ipea

The creation of racial and/or social quotas is also an important part of democratizing and equalizing opportunities for access to higher education for

historically marginalized population segments. The first initiative of this nature was implemented in 2003, when the Federal University of Rio de Janeiro adopted the reservation of places for black and indigenous candidates and students from public schools.

Later, similar initiatives were adopted by other public universities and, in 2012, a federal law was approved requiring that federal institutions offer 50% of their places to public school students who attended all of high school at public schools, and also consider income and ethnicity/skin colour. This law is in a gradual process of implementation.

Studies have indicated students included in these quotas do not leave much to be desired in terms of school performance when compared to other students. According to data from the selection service of the Federal University of Bahia presented by Santos (2012), the academic performance of quota and non-quota students show significant differences, which does not allow for definition of a single tendency. Therefore, these data do not confirm the assumption that teaching quality tends to fall after the adoption of quota systems.

In general, actions implemented in the last two decades have promoted progress in terms of expanding access to higher education. In addition, as discussed above, access to this level of education has been democratized among low-income and black students.

4 - Regulations and the informal economy

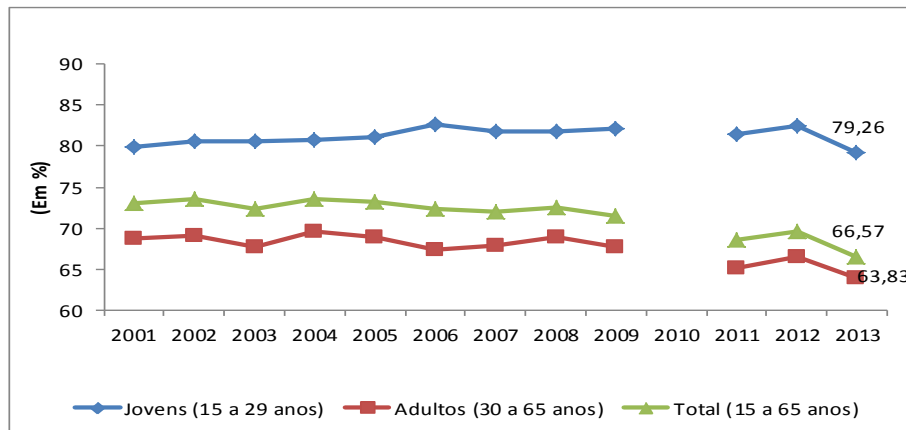
4.1 - Measures to expand the formalisation of domestic workers

Domestic work in Brazil is characterised by low wages, long and poorly calculated hours and high informality. In 2013, as illustrated in Graph 2, 66.57% of all domestic workers were informal, that is, they had no labour records. Among young people, this percentage was even higher, representing 79.26%, and most were women (93.53%), of whom 70.65% were black women.¹³

Also, even though they represented less than 7% in this category, 47% of male domestic workers had formal labour records vs. around 32% of female domestic workers.

¹³ In this text, domestic workers are considered to be female workers, as indicated by Ipea (2013, 2014), which gives visibility to women, who represent a majority in this category.

Graph 2 - Informality of young and adult domestic workers, 2001-2013



Source: Disoc/Ipea, based on PNAD data.

For domestic workers, the absence of formal labour records is most often related to low salary, long working hours and, in some cases, precarious working conditions. It also means that these workers do not receive the 13th salary¹⁴, paid vacations or social security benefits such as sickness benefits and pensions.

Some legal actions have been carried out recently to promote decent work and reduce the informality that predominates in labour relations between employers and domestic workers. This section will present some of those actions, always indicating that their objectives are to promote decent work or labour formalisation. After that, it will discuss some achievements and challenges.

4.1.1 - Strategy: alterations to regulations for domestic work

The origin of domestic work in the country dates back to the slavery period. However, only in 1972 was this activity regulated through Law 5.859, which defined the activity and guaranteed some rights to domestic workers. These rights included initial regulations that established a vacation of 20 business days for every 12 months of service and retirement and social security benefits.

The 1988 Federal Constitution (CF 1988), Art. 7, granted new rights to domestic workers: 1) a minimum wage; 2) prohibition of salary reduction; 3) the 13th salary; 4) a paid day off weekly, preferably on Sundays; 5) one-third or more of the salary as vacation pay; 6) maternity and paternity leave; and 7) advance notice of termination. However, even though this represented significant progress

¹⁴ The 13th salary is a bonus paid in two installments in November and December; it is equivalent to Christmas bonuses in countries like Germany, Argentina and Portugal.

in relation to Law 5.859 of 1972, it still did not open up access of domestic workers to all the labour rights offered to other rural and urban workers in Brazil. This formal discrimination was due to the inclusion of a single paragraph that did not allow domestic workers several rights that are guaranteed to other workers in Brazil.

In 2006, there was progress in domestic work legislation. Law 11.324 ensured the right to a 30-day vacation, job security for pregnant women and prohibition of deductions related to dwelling, meals and personal care products occasionally used in the workplace. This law also recognized the problem of social security not covering many workers in this category and created financial incentives to promote the formalisation of domestic workers.

Also regarding the expansion of rights for domestic workers, in 2013, Constitutional Amendment (EC) 72 was approved, after being delayed since April 2010. In general, its purpose is to equalize the labour rights of domestic workers with other professional activity in Brazil. The most recent regulations that aim to expand formalisation of domestic workers and fulfil the historical claims of black and female workers to decent work are presented below. These regulations are not specific to young people; however this group is included in the target population.

- Law 11.324 of 2006:

As discussed above, this law ensured some rights for domestic workers: a 30-day vacation, job security for pregnant women and prohibition of deductions related to dwelling, meals and personal care products occasionally used in the workplace. The new regulations also created an economic incentive for formalisation of domestic workers, as it allowed employers of domestic workers to deduct their contribution to social security from their annual income tax. However, there were some limitations: a) annual adjustment statement in its complete model; b) limited to one domestic worker; c) deduction limited to the employer contribution related to one monthly minimum wage (including vacation and the 13th salary)¹⁵.

¹⁵ This text will discuss later that the incentives to formalisation promoted by Law 11.324/2006 resulted in tax relief only for richer families; it did not promote changes for domestic workers.

- Constitutional Amendment 72

The year 2013 can be considered a milestone in the history of the rights of domestic workers in Brazil. Constitutional Amendment 72 (EC 72/2013)– also known as the constitutional amendment on domestic workers – was approved, after alterations to Article 7 of the Federal Constitution. It guaranteed a number of new rights for domestic workers.

However, these rights from a single paragraph of Article 7 are not automatically applied. Chart 1 shows the rights of domestic workers that are guaranteed by Article 7 of the 1988 Federal Constitution and indicates which ones depend on infra-constitutional laws for their application. The National Congress is responsible for validating the new labour rights for domestic workers in the constitutional amendment; domestic workers cannot receive these benefits until they are fully regulated.

Chart 1 - Rights of domestic workers according to Art. 7 of the 1988 Federal Constitution and automatic applicability of rights from Constitutional Amendment 72/2013

Rights guaranteed in Article 7	Legal instrument that guarantees the benefit	Automatic applicability of rights from EC 72/2013
I. Labour relations protected against arbitrary dismissal or dismissal without cause, according to the provisions of complementary laws, which foresee compensatory indemnification, among other rights.	EC 72/2013	No
II. Unemployment insurance, in the case of involuntary unemployment.	EC 72/2013	No
III. Length of service guarantee fund.	EC 72/2013	No
IV. Minimum wage defined by law, a nationwide value that is able to fulfil the basic needs of domestic workers and their families related to housing, food, education, healthcare, leisure, clothing, hygiene, transport and social security, with periodic correction to maintain buying power; it should not be linked with any other purpose.	CF 1988	-
V. Salary base proportional to labour extension and complexity.	Not guaranteed	-
VI. Prohibition of salary reduction, except when defined in conventions or collective agreements.	CF 1988	-
VII. Guarantee of receiving a wage never lower than the minimum wage for workers who receive variable remuneration.	EC 72/2013	Yes
VIII. 13th salary, based on full remuneration or	CF 1988	-

	retirement amount.		
IX.	Remuneration for night work higher than for day work.	EC 72/2013	No
X.	Protection of salary in due and legal form; improper retention of salary is a crime.	EC 72/2013	Yes
XI.	Participation in profits and results not linked with remuneration and participation in business management, as defined by law.	Not applicable	-
XII.	Family salary in the case of low-income workers with dependents, as defined by law.	EC 72/2013	No
XIII.	Working hours not to exceed 8 hours a day and 44 hours a week, with overtime compensation and reduced work allowed by collective agreements or conventions.	EC 72/2013	Yes
XIV.	Night work to be 6 working hours in uninterrupted shifts, or according to collective negotiations.	Not guaranteed	-
XV.	One paid day off per week, preferably on Sunday.	CF 1988	-
XVI.	Remuneration for overtime hours of at least 50% more than normal remuneration;	EC 72/2013	Yes
XVII.	Paid annual vacation to be at least one-third more than the normal wage.	CF 1988	-
XVIII.	120-day maternity leave, not affecting the job or wages.	CF 1988	-
XIX.	Paternity leave according to the law.	CF 1988	-
XX.	Protection of the labour market for women, with specific incentives, according to the law.	Not guaranteed	-
XXI.	Advance notice of termination proportional to length of service, to be at least thirty days, according to the law.	CF 1988	-
XXII.	Reduction of labour-related risks through healthcare, hygiene and safety standards.	EC 72/2013	Yes
XXIII.	Additional remuneration in cases of painful, unhealthy or dangerous work, according to the law.	Not guaranteed	-
XXIV.	Retirement benefits.	CF 1988	-
XXV.	Free healthcare for children and dependents from birth to 5 years of age by day-care centres and preschool institutions.	EC 72/2013	No
XXVI.	Recognition of collective labour conventions and agreements.	EC 72/2013	Yes
XXVII.	Protection against automation, according to the law.	Not guaranteed	-
XXVIII.	Insurance for workplace accidents, to be paid by the employer, plus compulsory indemnification, in case of fault or fraud.	EC 72/2013	No
XXIX.	Lawsuits related to the credits resulting from labour relations, expiring in 5 years, for urban and rural workers, until the limit of 2 years, until the termination of the employment agreement.	Not guaranteed	-
XXX.	Prohibition of differences in salary, functions and hiring criteria for any reason related to gender, age, skin colour or marital status.	EC 72/2013	Yes
XXXI.	Prohibition of any discrimination in salary and hiring criteria for workers with disabilities.	EC 72/2013	Yes
XXXII.	Prohibition of distinctions between manual,	Not guaranteed.	-

	technical and intellectual work, or between these respective professionals.		
XXXIII.	Prohibition of requiring people under 18 years of age to engage in night, dangerous or unhealthy work, or of requiring people under 14 to 16 years of age to engage in any work activity, except as apprentices.	EC 72/2013	Yes
XXXIV.	Equal rights for workers with employment bonds and self-employed workers.	Not guaranteed	-

Source: Adapted from Ipea (2014).

As indicated in Chart 1, only some new rights are automatically applied, such as a maximum for work hours and overtime pay. Many benefits, such as unemployment insurance, a mandatory Length of Service Guarantee Fund (FGTS), and night pay higher than day pay still require specific regulations to become valid.

A mixed commission was created in the National Congress to consolidate and regulate the rights granted under the 1988 Federal Constitution, and a Senate law project (PLS 224/2013) was initiated, aiming to regulate EC 72/2013. This law project was discussed by the Senate in the first half of 2013, and approved with 52 votes for and no votes against. It was then sent to the Chamber of Deputies in July 2013, as a complementary law project (PLP 302/2013); more than 50 amendments were made to the original text from the Senate. The altered text was submitted again for Senate approval, but in November 2014 the mixed commission decided to reject all the amendments proposed in the Chamber of Deputies. The project returned to the original text from July 2013. If the text is approved with no alterations, it is submitted for the President's approval; otherwise, it is returned to the Senate for further discussion.

- Law 12.964 of 2014

Approved in April 2014 and taking effect in August 2014, Law 12.964 established a fine to be imposed on employers of domestic workers who do not maintain a formal labour relation with them. The reference value of the fine is BRL 805.06, and it may increase depending on length of service, age, number of workers and infractions identified; or it may be reduced, if employers recognize the infractions and formalise labour relations with domestic workers, with due social security contributions. This way, the formalisation of domestic workers is expected to grow.

4.1.2 - Progress

In recent years, regarding domestic workers, a series of innovations in the legal and institutional field have been implemented, representing progress in the promotion of decent work and formalisation of labour relations, although much still has to be done, as we will now see.

In July 2011, Convention 189 and Recommendation 201 of the International Labour Organization were approved, which addressed decent work for domestic workers. In addition, in the countries where they were adopted, domestic workers were to have the same rights as other workers. These measures required alterations in Brazilian legislation, considering that the 1988 Federal Constitution still regarded domestic workers as a subcategory of the labour market.

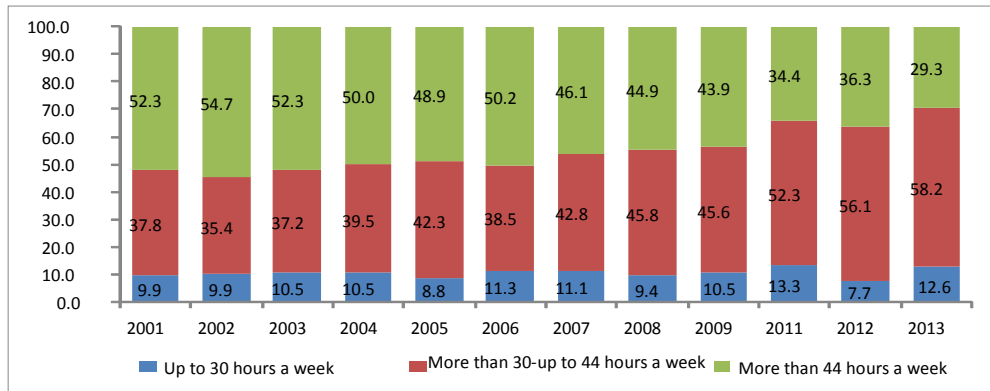
As discussed before, to fulfil the historical claims of black people and women, and aligned with the provisions of Convention 189, the country progressed with the approval of the domestic workers' constitutional amendment, which distinguishes domestic workers from other workers. That was a step forward in the promotion of decent work for a category characterised by fewer rights in comparison to general workers. However, as discussed below, regulations for many aspects of the constitutional amendment is a real obstacle to the much-desired equality of rights for domestic workers.

Since EC 72/2013 is a recent regulation, and due to lack of regulation for some of its benefits, there is still no analysis of the impact of the amendment on domestic workers. However, some decisions already suggest some effects, especially in terms of working hours for domestic workers.

Graph 3 shows that the percentage of domestic workers working more than 44 hours a week fell during the 2000s, except in 2006. This percentage significantly decreased in 2011, but increased in 2012. In 2013, with EC 72¹⁶ in effect, it fell to the lowest value for the entire period analysed. This reduction is a sign of improved labour conditions for domestic workers after implementation of the amendment. Even so, it is too early to define actual effects, considering that 30% of formally employed domestic workers work long hours (more than 44 hours a week).

¹⁶ Constitutional Amendment 72 was approved on 2 April 2013. The PNAD interviews are always conducted in September, that is, they occurred after the approval of this amendment.

Graph 3 - Weekly working hours of young formal domestic workers (aged 15 to 29 years), 2001-2013



Source: Disoc/Ipea, based on data from PNAD.

Also regarding promotion of labour formalisation, two laws were recently approved in Brazil. The first is Law 11.324/2006, which offers economic incentives for hiring domestic workers through formal labour relations by allowing deduction of social security contributions from income tax. The second is Law 12.964/2014, which addresses inspections and fines for employers caught in informal labour relations with domestic workers.

Some studies have analysed the possible effects of Law 11.324/2006 on the formalisation of domestic workers. Rangel (2014) suggested that the incentive policy isn't very effective. Possible causes include the small number of people who submit full income statements and a recent increase observed in the remuneration paid to domestic workers, a scenario in which formalisation costs increased faster than possible deductions from income tax, especially for those receiving more than a minimum wage¹⁷. After a more sophisticated analysis in terms of methodology, Theodoro and Scorzafave (2011) obtained inconclusive results concerning the effects of tax relief on formalisation, which led them to classify the policy as ineffective in meeting its objectives. Dantas et al. (2012) also suggested that the policy is ineffective, highlighting that tax advantages were granted to employers who already maintained a formal labour relation with their domestic workers.

¹⁷ As the law guarantees the deduction of social security contributions from income tax only up to the amount of a minimum wage, if remuneration for domestic workers is above this value, social security contributions will represent an additional cost to employers, which does not occur if domestic workers are formally hired. According to 2013 PNAD, 37% of domestic workers earn more than one minimum wage per month.

Regarding Law 12.964/2014, it is still very recent and there is no evaluation of its results. Even so, it is possible to say that it marks progress in domestic work formalisation, particularly after publication by the Ministry of Labour and Employment (MTE) of Normative Instruction (*Instrução Normativa*) 110 of 2014 (IN 110/2014), which details the inspection procedures for domestic work regulations. This new normative instruction allows indirect inspection of formal labour relations in response to anonymous complaints from domestic workers or third parties.

It should be noted that, before IN 110/2014, great challenges to inspection for compliance with formal labour relations remained due to the principle of “home inviolability,” which does not allow effective action by labour inspectors. The new standard was created to address this challenge. With the possibility of anonymous complaints, employers are informed by letters from labour inspectors and are obliged to attest to employment bonds by submitting documents to decentralized bureaus of the MTE¹⁸.

Even with laws and constitutional amendments to promote decent work and employment formalisation between employers and domestic workers, there are many obstacles to compliance with existing regulations and many challenges, particularly related to formalisation of domestic work.

4.1.3 - Challenges

The main challenges related to the most important strategies for reducing informality and promoting decent work conditions for domestic workers are presented below.

1. Need for regulation of Constitutional Amendment 72.

There is no denying that the approval of EC 72/2013 was a great step forward in the promotion of decent work conditions for domestic workers. However, some of the new rights require that regulation actually be validated. Some central points have not yet been regulated, such as remuneration in the amount of 50% over the normal salary for each hour exceeding 44 hours a week and the right to FGTS (now compulsory for employers).

¹⁸ This Normative Instruction foresees a visit of the labour inspector, provided that it is authorized in writing in advance by the employer (before, a court order was required).

This situation leads to obstacles to actual changes in labour conditions for domestic workers. In addition, it makes the behaviour of Brazil suspect in the eyes of the ILO. The country had a crucial role in the Convention 189 discussions and approval process, but has not yet regulated all rights for domestic workers to eliminate inequality in relation to other workers.

2. Challenges to formalisation.

Regarding the formalisation of domestic workers, Law 12.964/2014 is progress, as it establishes fines for employers who do not maintain formal labour relations. However, the challenge refers to inspection of labour registry due to the principle of “home inviolability,” which does not allow effective actions by labour inspectors. To address this problem, the MTE published IN 110 in 2014, which defines the procedures for domestic work inspection.

Progress in procedures for domestic work inspection has been notable since IN 110/2014. However, complaints, even when anonymous, expose workers, placing them in a precarious situation with employers (Ipea, 2015). The fear of possible dismissal may act as an obstacle to complaints about non-compliance with labour formalisation procedures.

3. Changes in the profile of domestic workers.

Another challenge that has become greater in the last few years is changes in the profile of domestic workers. As already noted by Pinheiro, Gonzalez and Fontoura (2012), the number of daily domestic workers (providing service to more than one home) has increased and, consequently, the number of monthly domestic workers has decreased. The authors also reported that situations in which daily domestic workers have formal labour relations are very rare. In that case, all costs related to social security have to be assumed by daily domestic workers, and not by employers.

4.2 - Individual microentrepreneur law and the question of self-employed workers and small, informal businesses

The Brazilian labour market is characterised by high informality. A quick visit to the central region of any city in Brazil shows what that means: street vendors selling food or popcorn, carters and others. Informality is also observed in the service sector, which has gained more and more importance in the national

economy: It is easy to hire painters, plumbers, electricians and other professionals without issuing fiscal documents or paying social security contributions. The situation may present an advantage at first, as self-employed workers do not have the value of their products or services reduced due to income tax or social security contributions. However, this advantage is only apparent. Workers who do not issue invoices or pay social security contributions find it difficult to prove that they have an income and do not receive the benefits of the social security system.

According to data from the 2013 PNAD, 82.3% of self-employed workers (aged 15 to 65 years) have no National Legal Entity Registration Number (CNPJ) and are not covered by the social security programme. Among young people (aged 15 to 29 years), 92% of self-employed workers have no CNPJ and are not covered by the social security programme. The negative results for these indicators are alarming from the perspective of public policies. Besides the high level of tax evasion, these results represent gaps in the social security of the population.

4.2.1 - Strategy: economic incentives to reduce informality

In 2008, with Complementary Law 128, the Federal Government introduced a new policy exclusively for entrepreneurs with a maximum of one employee, called individual microentrepreneurs (MEIs). This nationwide policy has considerably reduced the costs of formalisation for self-employed workers and employers with a maximum of one employee whose earnings are up to BRL 60,000 a year. It should be noted that this policy is not focused on young people, but they benefit as well, due to its universal character.

The purpose of this law is to promote the creation of formal companies, formalise existing informal companies and encourage the creation of formal jobs. Individual microentrepreneurs operate under the “Simples” tax category and are exempt from federal taxes (income tax, the social integration program, social security financing contributions, taxes on industrialized products, and social contributions on net profit). Their taxes are in the fixed monthly amount of BRL 5 for the service sector or BRL 1 for commerce and industry, plus the monthly social security contribution of 5% of the minimum wage (equivalent to BRL 39.40 per month in 2015).

The payment of taxes allows companies to get legal entity registration numbers, which facilitate other services, like bank accounts, loans, and issuing invoices. It also allows MEIs to get social security coverage, that is, access to almost all benefits, except for length-of-service retirement, limiting the value to one minimum wage. As discussed above, the law that introduced the MEI category was created in 2008, but it officially came into effect in July 2009¹⁹.

4.2.2 - Progress

Since the MEI Law came into effect, the option for a simplified taxation system and social security inclusion has increased. More recent data from the Department of Federal Revenue of Brazil (SRFB) showed over 4.8 million active MEI workers in March 2015. Table 9 shows total active workers operating as MEIs in December of every year and for the most recent available informaton.

Table 9 – Active workers operating as MEIs ²⁰

Year	Number
2009	44,188
2010	771,715
2011	1,656,953
2012	2,664,605
2013	3,659,781
2014	4,653,080
2015	4,808,074

Source: SRFB

The table above shows significant growth in the number of MEIs since 2009. Unfortunately, data by age group are only available for the the most recent data collected²¹, that is, for one year only. Table 10 shows the number of MEIs by age group, including MEIs among young people. We can say that about 24% of total MEIs are young people²².

¹⁹ As it also involves the payment of state taxes (ICMS) and municipal taxes (ISS), it came into effect in all states gradually, from July 2009 to February 2010, as adjustments had to be made in municipal and state computer systems.

²⁰ Note: Data related to the last day of December of every year. For 2015, data are from 7 March.

²¹ For this study, data are from 22 March 2014.

²² The two first age groups (16-20 and 21-30 years old) are not exactly the same as what is considered young people for this activity (15-29 years old). Even so, it is possible to state that about 24% of MEIs are young people.

Table 10 – Active workers operating as MEIs by age group, March 2015

Age group	Number of MEIs	% MEIs
16-20	50,086	1.0
21-30	1,115,136	23.2
31-60	3,421,779	71.2
Above 60	221,073	4.6
Total	4,808,074	100

Source: SRFB, Simples Nacional.

Some studies have attempted to analyse the possible effects of the creation of MEIs²³. One result indicates positive effects on social security contributions, but not on CNPJ registration. In other words, the authors detected signs of increases in social security coverage, but not in small business formalisation. Based on an econometric analysis of panel data, Rocha, Ulyssea and Rachter (2014) concluded that reduction in business registration costs is not enough to promote small business formalisation or encourage the creation of new formal businesses.

4.2.3 - Challenges

Data show that more than 3.8 million workers have adhered to the MEI system. However, analyses and assessments of the actual impact of Complementary Law 128/2008 do not allow precise statements about its effects on increased social security coverage and small business formalisation.

Self-employed workers and microentrepreneurs who meet the criteria for earnings to adhere to the MEI system are engaged in low-productivity activities. Perhaps many low-productivity activities gain few or no benefits from formalisation. For this reason, low impact on business formalisation has been observed (Ulyssea & Rachter, 2014).

However, the absence of social security coverage and informality in small businesses, as designed by the MEI Law, run side by side. One solution for the formalisation policy, considering that it also aims to increase social security coverage, is to separate the objectives of small business formalisation and

²³ Rangel (2014) compared data on MEIs to young people covered by social security benefits. The author suggested that the expansion of social security coverage for young people who are self-employed workers may be an effect of LC 128/2008. Corseuil, Neri and Ulyssea (2014) conducted a broad exploratory analysis of potential impacts of the MEI Law without focusing on age groups.

expansion of social security coverage into two problems to be addressed individually and in different ways.

Somehow, LC 123/2006 – the law that created the Simplified Plan for Social Security Inclusion (PSIC) – would allow street vendors, plumbers, etc. to get social security coverage without having to formalise their activities. However, there is a problem with this regulation: The contribution for social security inclusion by the MEI Law is 5% of the minimum wage²⁴, while for the PSIC it is 11% of the minimum wage.

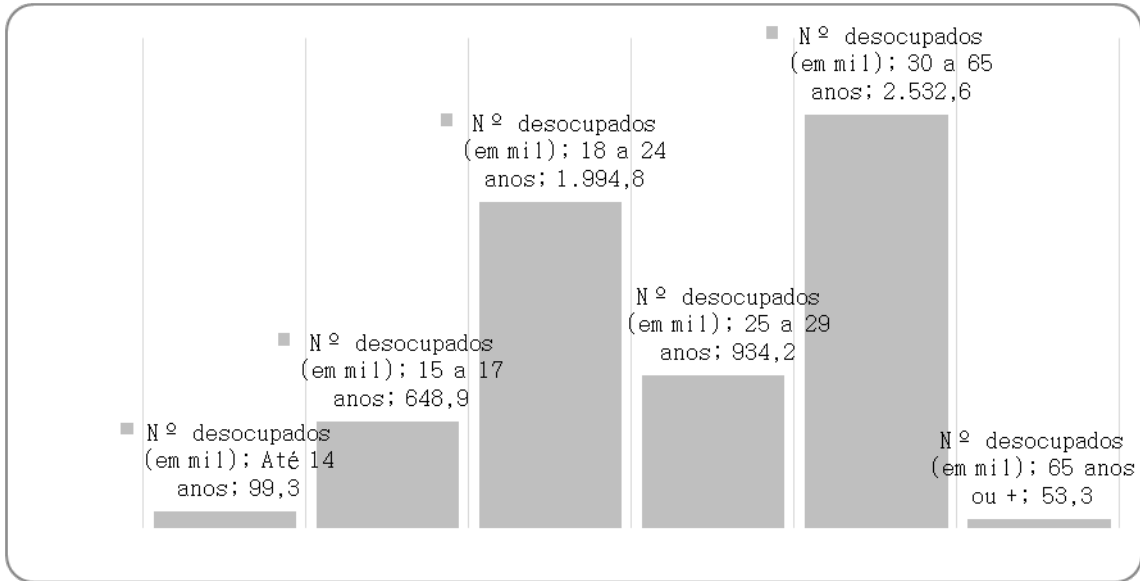
The main remaining challenge is to expand the formalisation of small businesses and social security coverage for informal workers. One possible way to address the problem is by balancing the two existing regulations – the MEI Law and the PSIC – so that business registration costs plus social security contributions under the MEI system are not much higher than social security contributions under PSIC.

5 - Mechanisms for protection against unemployment and for informal workers

Graph 4 shows the number of non-working population by age group in urban regions of Brazil, in 2013. In all age groups, this number totalled 6.26 million workers. Of these, 3.58 million were young people aged 15 to 29 years (57.1%), with special attention to those aged 18 to 24 years (1.99 million).

Graph 4 - Non-working population by age group in urban regions of Brazil, 2013 (in thousands)

²⁴ Plus BRL 1 or BRL 5, depending on the business.



Source: PNAD/IBGE-2013. Developed by Ipea/Disoc.

What types of protection against unemployment do these millions of non-working people (and particularly young people) have under the Brazilian social security system? For workers involved in salaried jobs with labour registry²⁵, six different types of protection are available whose main characteristics are summarized in Chart 2.

CHART 2 Brazil: Mechanisms for protection against unemployment

Mechanism	Nature	Description
Temporary stability	<i>Ex ante</i> protection	Refers to a period in which workers cannot be terminated at the employer's initiative (except for termination for cause or force majeure). Temporary stability is guaranteed by law in situations like: <ul style="list-style-type: none"> - pregnancy (from pregnancy confirmation until five months after birth) - workplace accidents (for 12 months after the end of the accident-sickness benefit) - cooperative managers (when running for management until one year after the end of term) - union managers (the same rule also applies for replacements) - members of the Internal Commission for Accident Prevention (CIPA) – the same rule applies.²⁶
	Non-monetary protection	
Advance notice of termination	<i>Ex ante</i> protection	Refers to a notice of employment termination sent in advance by one party to another to end the labour relation without cause. The period until the end of the agreement may be worked (employee works until the end of the employment period, sometimes with different working hours), or indemnified (employee does not work until the end of the employment period and receives an indemnification for this period). The period of this advance notice of termination is a minimum of 30 days, and it may reach 90 days (an addition of three days for every year of service up to minimum period).
	Monetary or non-monetary protection	
Length of	<i>Ex post</i>	Refers to a monetary resource, from a monthly contribution paid by

²⁵ A salaried job with labour registry for a non-fixed period is the most important and frequently found in the labour market in Brazil. For more information, see Campos (2009).

²⁶ Besides these categories, other temporary stability mechanisms are offered by collective negotiation, not by law (e.g., to workers about to retire).

Service Guarantee Fund (FGTS)	protection Monetary protection	the employer (a percentage of the worker's remuneration, usually 8%). This resource is kept in an individual account that can be accessed by the worker in specific situations (e.g., termination of employment agreement without cause and decided by the employer).
FGTS fine	<i>Ex post</i> protection Monetary protection	Refers to a monetary resource from a fine paid by an employer to a worker when the employer terminates a salaried employment agreement without cause. The fine is usually 40% of the accrued FGTS amount in the worker's individual account.
Fine for improper dismissal to prevent rights	<i>Ex post</i> protection Monetary protection	Refers to a monetary resource from a fine paid by an employer to a worker when the employer terminates a salaried employment agreement without cause in order to prevent the employee from receiving a right (e.g., rights from collective labour negotiation, such as a salary raise).
Unemployment insurance	<i>Ex post</i> protection Monetary protection	In the 'formal' category of the programme, refers to a monetary resource from a monthly contribution paid by the employer (PIS/Pasep – different percentages of the operating gross income). To access unemployment insurance, workers have to be dismissed without cause from a formal salaried labour relation lasting at least six months out of the previous 36 months. Unemployment insurance provides three to payments, depending on the duration of the labour relation ²⁷ The 'acquisition' period for unemployment insurance (period of time that defines when the worker can access the benefit) is 16 months. ²⁸

Source: CLT-1943, CF-1988, Individual Laws.
Developed by: IPEA/DISOC.

Although FGTS coverage is more significant for general workers (in terms of protected workers and resources available), this text is focused on unemployment insurance, as it perhaps has greater importance for young workers in particular²⁹. This is explained by the fact that labour insertion for young people is often characterised by occupations with low wages and high labour turnover³⁰.

Unemployment insurance has a recent history in Brazil as a mechanism for protection against unemployment. Although discussed since the 1930s, it was actually created in 1986, to support workers dismissed without cause by employers. Even so, coverage was small, maybe because of restrictive access rules or insufficient funding sources.

Expansion of coverage started in 1990, with changes to Law 7.998, which regulated provisions of the 1988 Federal Constitution related to unemployment

²⁷ Duration of 6 to 11 months, considering the last 36 months: right to three payments; duration of 12 to 23 months: right to four payments; duration of 24 months or more: right to five payments. The minimum value of each payment is one minimum wage in force, but this amount may increase, according to the worker's average remuneration in the period of three months before the dismissal, and it may reach almost 1.8 times the minimum wage.

²⁸ Categories of this programme other than the 'formal' category (such as salaried domestic workers, small-scale fishermen, and workers rescued from slavery) have different rules.

²⁹ Considering workers in general (young workers and adults), in 2013, the FGTS protected 20.8 million workers (only those dismissed without cause), distributing BRL 48.7 billion. In the same year, unemployment insurance protected 8.9 million workers (of various types: salaried, domestic, fishermen, rescued from slavery), distributing BRL 31.9 billion.

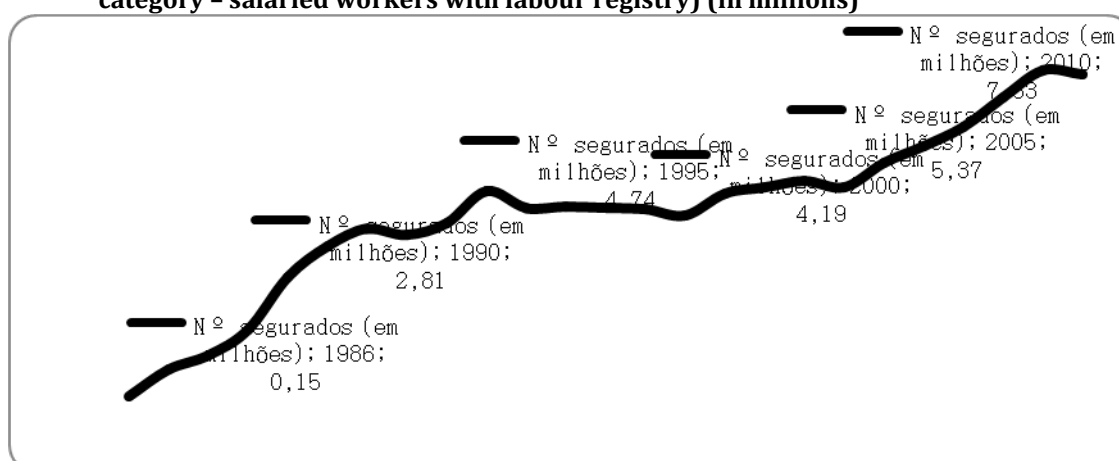
³⁰ Specifically for young workers, these two characteristics tend to make a FGTS protection amount lower than the unemployment insurance protection.

insurance and other initiatives for social security. This law made access to this benefit less restrictive and created new funding resources, consolidated in the Worker Support Fund (FAT)³¹.

Since then, unemployment insurance coverage has increased considerably, making it effective protection for the non-working population, both young and adult workers³². These workers can be from four categories: 1) salaried workers with labour registry; 2) salaried domestic workers; 3) small-scale fishermen in family businesses; and 4) workers rescued from slavery³³.

Regarding salaried workers with labour registry, who constitute the main protected group (in terms of workers and resources), Graph 5 shows that they have increased substantially from only 0.15 million workers in 1986 to 7.33 million in 2010.

Graph 5 - Number of unemployment insurance beneficiaries, 1986-2010 ('formal' category - salaried workers with labour registry) (in millions)



Source: MTE. Developed by Ipea/Disoc.

For the period covered, the number of beneficiaries was 48.7 times greater at the end. To a certain extent, that was the result of changes made in the structure

³¹ To some extent, the FAT allowed social security programmes associated with labour and income (such as unemployment insurance and salary bonuses) to have autonomy in terms of resources from the federal government, allocating a relevant portion of the PIS/Pasep contributions to these programmes (another portion is allocated to employment and income generation programmes controlled by the Brazilian Development Bank {BNDES}). In addition, the FAT is managed, in general, by the Deliberative Council of FAT (Codefat), which has members from three sectors (workers, employers and the federal government). For further information see Azeredo, 1998; Barbosa & Moretto, 1998; Moretto, 2007.

³² This expansion of unemployment insurance after 1990 was simultaneous with the implementation of other initiatives that also impacted the non-working population, such as qualification and intermediation services (also known as labour 'active policies'). Such services are important to helping workers find new occupations, acquire new qualifications, and get information about openings in the market. For further information, see Azeredo, 1998; Barbosa & Moretto, 1998; Moretto, 2007.

³³ Salaried workers with labour registry started to receive unemployment insurance in 1986; domestic workers, in 2001; small-scale fishermen, in 1992; and workers rescued from slavery, in 2003.

of this programme (e.g., access rules, which became less restrictive), and changes in the labour market (such as expansion of salaried employment with registry simultaneous with sustained high labour turnover)³⁴.

Unemployment insurance increased between 1986 and 2010, protecting more young and adult workers. These dynamics can only change after 2015, although that depends on discussions in the National Congress to address the new rules for unemployment insurance proposed by the current government.

According to rules in Provisional Measure 665, proposed by the federal government in late 2014, to receive the benefits, workers have to work only six months (as salaried workers with registry) in the period of 36 months before the date of dismissal without cause.

Based on this measure, in order to request unemployment insurance for the first time, workers have to work 18 months (as salaried workers with registry) to receive the benefit, in the period of 24 months before the date of dismissal without cause³⁵. In order to request it for the second time, they have to work 12 months in the period of 16 months before the dismissal. The rules have not changed for only the third request: six months of work in the period of 36 months before the dismissal.

The rules for access to the benefit are more restrictive, in contrast to the direction of employment insurance regulation since 1986. The number of worked months required (as salaried workers with registry) increased after Provisional Measure 665/2014. This will almost certainly reduce the number of workers protected by the programme and impact young people in a different way, when compared to adults.

Regarding the first item, taking 2014 as a reference, 26.6% of workers who requested unemployment insurance protection would not have been able to access it if the rules of this provisional measure had already been in force. This percentage represents 2.27 million workers (26.6% of total applicants for the programme in 2014, that is, 8.55 million workers)(MTE, 2015).

³⁴ These two aspects of the labour market (expansion of salaried employment with registry and sustained high labour turnover) were particularly relevant for the increase in the number of unemployment insurance beneficiaries between 2005 and 2010. For more information, see Filho, Cabanas & Komatsu, 2014.

³⁵ The number of applications is counted for the period of last 120 months (that is, ten years).

Regarding the second item, based on 2014 as well, among workers up to 28 years of age, 51.9% would not have been able to access unemployment insurance for the first time if the rules of this provisional measure had already been in force (among adult workers, this percentage is reduced to 32.6%). In addition, among workers up to 29 years of age, 32.2% would not have been able to access unemployment insurance, for the second time (among adult workers, this percentage is limited to 23.1%). Table 11 shows this information and data from MTE, 2015.

Table 11 - Proportion of workers who would be affected by changes in MP 665/2014, by age group (%)

	up to 29 years of age	30 years old or above	TOTAL
1st request	51.9	32.6	44.1
2nd request	32.2	23.1	27.0

Source: MTE. Developed by: Ipea/Disoc.

In other words, contrary to the dynamics observed since unemployment insurance was created in 1986, access rules have become more restrictive. The number of worked months required (as salaried workers with registry) to access this benefit is now considerably higher. And this is more true for young workers than for adult workers.

In any case, it is still necessary to wait for discussions in the National Congress to see if these rules, which do not facilitate workers' access to protection from unemployment, will actually be validated (although they are currently in effect, as they were created by the Provisional Measure).

5.1 - Strategy: incentives to expand social security coverage for informal workers³⁶

According to the law, hiring an employee should always involve labour registry. However, the reality of the Brazilian labour market is very different; informality in labour relations is an old characteristic. According to the 2013 PNAD, informal workers represented 14.8% of the working population aged 15 to 65 years, the third largest working group. Among young workers aged 15 to 29 years, informal workers corresponded to 22.7% of the working population.

³⁶ Including domestic workers without registry and self-employed workers who do not want to formalise their businesses.

Employees without labour registry have no guarantee of labour rights (e.g., FGTS, 13th salary, and indemnification in case of termination without cause). But these workers are not necessarily unprotected by social security, because they can contribute as individual taxpayers and get access to benefits (e.g., pension fund, sick pay, and maternity allowance). However, the 2013 PNAD showed that 78% of informal employees aged 15 to 65 years did not contribute to social security and were not covered. Among young people aged 15 to 29 years, this percentage was even higher: 85% were not covered by the social security programme.

The limited reach of social security for informal workers involves two serious problems in terms of protection for these workers. In the short run, they do not have a guarantee of labour rights and have no by social security coverage. They may find it difficult to generate income in the case of accident, illness or pregnancy. In the long run, informal workers run the risk of not having a retirement fund in a phase of life when working abilities are reduced, and in that case they will depend on welfare benefits.

To fill these gaps in the social security system, the Simplified Plan for Social Security Inclusion (PSIC) was created in 2006 by LC 123 as a cheaper option for social security contributions for workers not covered by formal labour relations.

Before the PSIC was created, the social security contribution from individual and facultative payers³⁷ was 20% of monthly remuneration or any amount up to the base for the social security contribution. With the PSIC, workers have the option to contribute based on a lower allocation of 11% of the minimum wage. As compensation for reduced social security contributions, workers have no Length of Service Guarantee Fund, but have the right to the same benefits as workers who contribute based on the allocation of 20%. In addition, the benefit for workers in the PSIC is limited to the social security base (one minimum wage).³⁸

5.1.1 - Progress

³⁷ Facultative payers are those without remunerated activity, such as students, housewives, and unemployed people.

³⁸ The same observation made for prior policies applies here as well: Although the PSIC is not focused on young workers, they are also affected, as the policy is directed to informal workers of all age groups.

After the PSIC began, social security contributions became a real possibility for informal workers, especially those with low monthly income. According to the 2013 PNAD, of over 13 million informal workers, 82.5% had a monthly income of a maximum of two minimum wages; almost 35% received less than one minimum wage. Among young people, 90.49% received up to 2 minimum wages, and 42.3% received less than one minimum wage.

Considering the information above, social security contributions for low-income workers were almost impossible before the PSIC. Dantas, Barbosa and Ferreira (2012) found considerable progress in the first years in the number of PSIC payers. Rangel (2014) suggested lower efficacy of the PSIC in increasing social security coverage among informal young workers. Corseuil et al. (2011), using the method of difference in differences, investigated the impacts of this policy on the likelihood that informal workers would contribute to the social security system. The results showed that this policy increased the probability that workers receiving around one minimum wage would contribute to the social security system.

5.1.2 - Challenges

The creation of the PSIC, with the possibility of social security coverage for reduced allocations, is progress. The target population includes not only informal workers but also other categories, like informal domestic workers (including daily domestic workers) and self-employed workers, for whom the PSIC may be an alternative to the MEI Law.

Ideally, employers would establish formal labour relations with their employees, and all monthly domestic workers would have labour registry. However, this is not the reality. The PSIC is also progress; but when we analyse the promotion of social security contributions, two problems can be recognised: absence of labour rights; and absence of social security coverage. The programme addresses the question of absence of social security coverage and leaves labour rights to be addressed by other policies.

But even with the progress observed with the PSIC, high numbers of informal workers in general (and domestic and self-employed workers) are not covered by the social security system. One challenge is to understand workers'

reasons for not paying social security contributions, which include: 1) They focus exclusively on the present; 2) They are not aware of the benefits offered by the social security system; and 3) the high amount of contributions. Also, inspections by the MTE are insufficient³⁹.

Based on the considerations above, the main challenge is to increase social security coverage for the working population. The MEI Law and the PSIC are progress in this sense. But further investigation is required to understand why the percentage of individual payers is low, and if required, further reduce the contribution allocation for these groups.

6 - Expansion of social security

The Brazilian social security system started in the 1930s with the creation of policies that addressed labour risks, retirement and pension funds, sick pay and maternity allowances, among other policies for protection of formal workers. However, in general, between the 1930s and the 1980s, social security benefits were limited to formal workers who paid social security contributions. Due to these characteristics, that period in Brazil was called by Santos (1979) “regulated citizenship,” because only workers with occupations recognized by unions could access the social rights created up to then – and unions even had to be recognized by the government to operate (Santos, 1979). According to this author, regulated citizenship is an acquired personal condition that depends on insertion into formal employment.

Only after the 1988 Federal Constitution were new regulations created for the social security system, characterised by expansion and universalisation of social rights. The history of social movements in Brazil during the 1970s and 1980s shows that they were an important influence in the disruption of the regulated citizenship perspective, predominant since the 1930s, and the development of a new model of social security that would incorporate the social

³⁹ Regarding one of these items, high amount of contribution, even corresponding to 11% of the minimum wage, it should be noted that, at first, the MEI Law foresees that, with the fixed payment value of BRL 1 or BRL 5, depending on the business, the INSS contribution would be 11% of one minimum wage. In 2011, with Provisional Measure 529, MEI's percentage of social security contribution was reduced to 5% of the minimum wage, to further encourage small business formalisation. This way, also to encourage it, the PSIC could reduce the percentage to 5% of one minimum wage, that is, the same as the percentage applied by the MEI Law.

dimension of collective rights, regardless of professional categories and their connection to the labour market.

The changes that came with the Constitution included the creation of the Brazilian social security system, which incorporates the public policies of social pensions and health and social assistance. Except for social security pensions, access to which assumes prior contributions, the others – health and social assistance – are universal and can be accessed regardless of employment bonds and contributions. Today, the Brazilian social protection system consists of a number of public policies in the areas of labour, employment and income, education, social security, healthcare, and social assistance, which are focused on assets and services and cash transfers to cover basic social demands.

6.1 - Policies and programmes focused on expanding social security coverage for workers without employment bonds

6.1.1 - Family Allowance Programme (PBF)

The PBF is a programme for cash transfers that benefits Brazilian families in conditions of poverty and extreme poverty. It is part of the Brazil Without Misery Plan, which is focused on Brazilian families with a household monthly income per person under BRL 77 a month.⁴⁰ It covers about 14.2 million families and offers four types of benefits, which vary according to the family situation: 1) basic benefit; 2) variable benefit; 3) variable youth benefit; and 4) extreme poverty benefit. Chart 3 shows the details of the PBF benefits.

Chart 3 – PBF: Types and amounts of benefits

Basic benefit	Amount of BRL 77.00 , paid exclusively to families with household monthly income per person up to BRL 7.00.
Variable benefit (household monthly income per person between BRL 77.01 and BRL 154.00 a month)	Amount of BRL 35.00 , paid exclusively to families with children and adolescents up to 15 years of age. (Each family may receive up to 5 times this amount, totalling BRL 175.00 .)
Variable youth benefit (family with household monthly income per person up to BRL 154.00)	Amount of BRL 42.00 , paid to families with adolescents aged 16 and 17 years. (Each family may receive up to 2 times this amount, totalling BRL 84.00 .)

Source: MDS.

⁴⁰ About US\$ 25, on 28 February 2015, considering an exchange rate of BRL 2.88. per US\$1.00.

The variable youth benefit was first established in March 2008 to increase PBF distributions aiming to reduce poverty, especially in situations passed down from generation to generation. The diagnosis that led to the creation of this new benefit recognized the low level of education among youths and adults as one of the main causes of poverty. It also recognized the problems of school dropouts and age-grade distortion among poor children and adolescents, which were worse as they approached 15 years of age, increasing greatly after that. In addition, previous assessments had shown that the PBF contributed to reducing dropout rates and increasing school attendance. The programme was designed to pay benefits to encourage school attendance for adolescents up to 15 years of age. However, due to age-grade distortion, many of them stopped receiving the benefit even before they completed fundamental education.

The variable youth benefit was created especially to encourage poor adolescents aged 16 and 17 years to continue studying. For this reason, this allowance is granted provided they present good school attendance. A family that receives this benefit has to ensure that adolescents go to school, presenting at least 75% school attendance.⁴¹

It should be noted that the variable youth benefit encourages the integration of young people with families, as families receive the benefit on their behalf. On the other hand, this benefit is not consolidated as an instrument of autonomy, as it was not created specifically for young people.

6.1.2 - Continued provision benefit (BPC)

The continued provision benefit is another cash transfer programme which, like the PBF, is not specific to young people, but includes many of them among its beneficiaries. It was created as a result of the mobilization of people with disabilities who demanded the inclusion of this theme in discussions at the time of the 1988 Federal Constitution. It is a constitutional benefit that transfers a monthly income of one minimum wage to elderly persons aged 65 years or older, or people

⁴¹ In 2013, a report on the PBF programme showed school attendance of 16.1 million children and adolescents (aged 6 to 17 years), representing 92.2% of PBF beneficiaries and 38% of all students registered in public schools in Brazil, according to data from the 2012 Census.

with disabilities who cannot work, provided they certify that they have no other resources or family to support them (Brazil, 2007)⁴².

With this guarantee of one minimum wage for individuals in vulnerable situations (old age, illness, exclusion and disability) who were previously excluded from the main social security mechanisms, the continued provision benefit is of singular social value, as it fulfils basic needs and promotes autonomy, independence and citizenship for people covered by the programme. In 2013, it benefitted 3.9 million Brazilians: 1.8 million elderly people and 2.1 million people with disabilities of all ages.

Specifically regarding people with disabilities, in 2011, the federal government, fulfilling the demands of social movements, launched the Living without Limits plan, which aims to address the specific needs of this population. This plan foresees investments of BRL 7.7 billion until 2014 and addresses four areas: 1) access to education; 2) accessibility; 3) healthcare; and 4) social inclusion. The public policies adopted for these segments are in agreement with the federal, state and municipal governments. Chart 4 shows the main actions under each of the four segments.

Chart 4- Living without limits

Access to Education	Social Inclusion	Accessibility	Healthcare
Rooms for functional resources	BPC Labour	Home financing program	National Programme for Neonatal Screening
Accessible schools	Inclusive homes	Guide dog centres	Therapeutic guidelines
Technical training programme	Day centres	National Programme for Assistive Technology Innovation	Rehabilitation centres
Bilingual education		Credit for assistive technology products	Adapted transport for access to health
BPC Schools		Home Financing Program	Orthopaedic workshops and expansion of offering orthotics, prostheses and auxiliary locomotion
			Orthopaedic care

Source: Casa Civil-PR – Plano Viver Sem Limite

⁴² The BPC is an individual, non-lifelong and non-transferrable benefit, under the Unified System of Social Assistance (SUAS). It is a right for citizens that guarantees social protection (non-contribution social security). The BPC transfers income (one minimum wage) to elderly people and people with disabilities in situations of extreme poverty. In 2013, the benefit was granted to 3.96 million beneficiaries: 1.82 million elderly people and 2.14 million people with disabilities.

Next we will discuss the programmes under the management of the Social Assistance department of the Living without Limits programme, which are all focused on social inclusion, and BPC Schools, which, although focused on access to education, is also responsible for education, healthcare, social assistance, and human rights.

6.1.3 - BPC Schools

This is an inter-ministry programme that involves the ministries of Education, Health and Social Development, the Fight Against Hunger, and the Special Secretariat of Human Rights, in partnership with municipalities, states and the Federal District. The purpose of this initiative is to monitor access to and attendance in schools for children and adolescents with disabilities who receive the continuous provision benefit.

In 2007, the BPC registration database (Dataprev/MPS, base year 2007) and the school census database (Inep/MEC, base year 2006) were combined for the first time, which indicated that, among 340,500 BPC beneficiaries (people with disabilities) aged 0 to 18 years, 100,500 (29.53%) were attending school, while 239,900 (70.47%) were not. In 2010, the database pairing results showed that, among 435,300 BPC beneficiaries (people with disabilities) aged 0 to 18 years, 229,000 (52.61%) were attending school and 206,300 (47.38%) were not. In late 2013, according to the Secretariat of Human Rights, this programme had 393,400 beneficiaries, covering all states, the Federal District and 67.3% of the Brazilian municipalities⁴³.

6.1.4 - BPC Labour

“Brazilian legislation, supported by international treaties and conventions — especially the UN Convention on the Rights of Persons with Disabilities (UN, 2006), incorporated into the Federal Constitution — defends the right to work of people with disabilities and seeks to increase and improve their access to opportunities for remunerated labour activities. These initiatives are critical to helping change the incorrect idea of Brazilian society that people with disabilities are dependent and incapable” (MDS, 2013, p.4)⁴⁴.

⁴³ BPC Schools conducts annual data pairing of the school census database (Inep/MEC) and the BPC/MDS database and identifies the school inclusion and exclusion indexes for BPC beneficiaries.

⁴⁴ MDS, 2013. Technical guidance book - BPC Trabalho.

BPC Labour aims to strengthen the autonomy of people with disabilities by encouraging them to enter the labour market. One of the most important recent incentives refers to an amendment to the BPC legislation in September 2011, through Law 12.470. Up to that time, the benefit was cancelled for people with disabilities who were receiving the BPC and who decided to enter the labour market. Today, people with disabilities receiving the BPC who want to engage in remunerated activities or are individual microentrepreneurs have their benefits suspended, not cancelled, and they may be resumed after the labour relation or entrepreneurial activity is over, or after the unemployment insurance period. The Professional Learning Agreement allows for combining apprentice salaries with BPC benefits for up to two years, and a person with disabilities aged 14 years or older may be hired as an apprentice without losing the BPC⁴⁵.

The objectives of BPC Labour, which prioritizes BPC beneficiaries with disabilities aged 14 to 45 years, include: promoting active participation and social roles by overcoming barriers; strengthening autonomy; and providing access to social assistance networking, professional qualification and the labour universe. This programme is linked with the National Programme to Promote Access to the Labour Market in activities involving mobilization and referral of people in situations of vulnerability and/or social risk to professional qualification and training courses and other labour inclusion activities.

According to data from the Ministry of Social Security, in June 2013 there were one million BPC beneficiaries with disabilities aged 14 to 45 years (the age group covered by the programme), of whom 53% were male and 47% female. As indicated in Table 12, more than half the target population for the programme (53%) was of working age – between 14 and 30 years – which reinforces the importance of this initiative, which provides professional qualification for better insertion into the labour market.

Table 12 – BPC beneficiaries by age group, 2013

Age group	Total BPC beneficiaries	%
14-15 years	70,119	6.61
16-18 years	107,644	10.15

⁴⁵ According to Law 11.180, of 23 September 2005, which amends the Consolidation of Labour Laws (CLT – *Consolidação das Leis Trabalhistas*) (Law 10.097/2000, Art. 428, Par. 5), the Learning Agreement allows hiring people with disabilities aged 14 years and older, with no age limit.

19-24 years	191,597	18.06
25-30 years	195,575	18.43
31-35 years	168,301	15.86
36-40 years	166,798	15.72
41-45 years	160,946	15.17
Total	1,060,980	100.00

Source: MPS- Dataprev - BPC base June 2013

There are some structural problems in BPC Labour achieving its objectives and goals, such as the low educational level of beneficiaries with disabilities, which makes it difficult to incorporate skills and improve their professional qualification and insertion into the labour market. According to data from the MPS, in 2014, 76.1% of all BPC beneficiaries with disabilities were illiterate or had not completed fundamental education.

6.1.5 - Inclusive Residences and Day Centres

Inclusive residences (*Residência Inclusiva*) are a category of the hosting service (*Serviço de Acolhimento*) that is linked with Special Social Protection of High Complexity, as defined in the National Typification of Social Assistance Services. The inclusive residence housing programme is for young people and adults with disabilities who are dependent on others, especially those covered by the BPC, who have no self-supporting conditions or family backup, and/or who are leaving institutions after a long period.

With this programme, which is part of the National Plan of Rights for People with Disabilities – Living without Limits, the Ministry of Social Development (MFD) started to support the reorganization of shelter services for this population, in order to eliminate large shelters and improve service quality by installing adapted units inserted into communities. Inclusive residences are adapted and located in residential areas within communities; each unit can house up to 10 people and prioritizes service in small groups. Their purpose is to host, integrate and develop abilities for daily life, according to the principles of autonomy and social participation.

The goal of Living without Limits was to implement 200 inclusive residences by 2014. According to data from the Ministry of Social Development, in 2013, 138 municipalities in six states had received co-financing for the implementation of 204 inclusive residences, besides anticipated financing for more

than 80 units foreseen for 2014. However, by 2014, only 73 inclusive residences were in operation, showing great discontinuity among financing, implementation and effective operation.

Day centres for people with disabilities are service units under the Unified System of Social Assistance (SUAS); they offer personal care services to young people and adults with disabilities in situations of dependency to complement the attention of family caregivers. They also offer various activities for community and home integration, aiming to expand social relations, prevent social isolation and provide free time for family caregivers. In 2012, the MDS started a co-financing process for the implementation of day centres. Under Living without Limits, the goal was to implement 27 day centres, one in each state. By the end of 2014, 12 day centres had been implemented.

The implementation of inclusive residences and day centres involves substantial responsibilities for municipalities, and this is probably the source of the discontinuity among co-financing, implementation and effective operation of the units. To participate in the programme, the municipalities implement and operationalize Reference Centres for Social Assistance (CRAS) and Specialized Reference Centres for Social Assistance (CREAS). They also need to offer one of the following healthcare services: Family Health Strategy (ESF), Family Health Support Centre (NASF), or a Home Attention and Better at Home programme. Inclusive residences and day centres also require specialized technical staff, including social workers, psychologists, occupational therapists and caregivers.

6.1.6 - Child Labour Eradication Programme (PETI)

This initiative involves a wide variety of governmental and non-governmental programmes aiming to coordinate actions to eradicate child labour. It is the main strategy of the Brazilian government to ensure compliance with conventions 138 (which deals with the minimum age for admission to employment) and 182 (which deals with the prohibition of child labour and immediate action to eliminate it) developed by the International Labour Organization.

Created in 1996, PETI was developed as a pilot governmental action to protect about 1,500 children who worked in coal mining and on mate plantations

in the State of Mato Grosso Sul. It was later extended to other states and activities in the country that used child labour, such as sugarcane plantations in the State of Pernambuco and on the coast of Rio de Janeiro, and prospecting activities in Rondônia⁴⁶.

In 2006, to rationalize and improve the management of income transfer programmes of the federal government, PETI was incorporated into PBF. Since then, its income transfer component is the PBF benefit itself, and socioeducational and integration activities are no longer offered by PETI, since the programme was started to provide attention to children and adolescents of PBF families in child labour situations. In addition, with PETI incorporation into PBF, the families in both programmes with child labour indications in the unified registry were subject to the conditions for healthcare, education and social assistance to remain in the programme. The frequency of socioeducational services, which was 75% for children in PETI, changed to a minimum of 85% of monthly hours, with control and monitoring of municipal administrators.

In brief, in terms of social assistance policy, PETI develops the following actions: 1) cash transfers to families; 2) family monitoring by professionals from social assistance reference centres; 3) active searches for children in labour conditions through a specialized service for social approach; and 4) services for integration and strengthening of families and children covered by the programme. In 2012, PETI provided services to 853,000 children and adolescents in more than 3,500 municipalities, with expenses of about BRL 277.6 million.

The 2010 Census indicated a significant reduction in the child labour rate in Brazil, when compared to prior censuses. Between 2000 and 2010, the number of working people aged 10 to 15 years decreased from 1.79 million in 2000 to 1.60 million in 2010, that is, a reduction of 198,000 (10.8%). Among adolescents 16 or 17 years old, the reduction in the same period was 336,000, from 2.14 million to 1.810 million (15.7%). That was because of several public policies, including expansion of social assistance networks, full-time schools, cash transfer

⁴⁶ Since it was created, there have been many changes in PETI. Until 2003, its main activities were: 1) provision of scholarship grants in the amount of BRL 25 to rural children and BRL 40 to urban children, for every child attending extended school activities; 2) attention to children and adolescents in extended school activities; 3) generation of productive occupations for families with children and adolescents participating in PETI; 4) inspection for child labour; and 5) mapping of places with child labour in each municipality (Rua, 2007).

programmes and stronger inspections conducted by the Brazilian bodies in charge of these areas.

The following characteristics were identified for children and adolescents found in child labour situations in 2010: 60% were boys; 59% lived in urban areas; 88% attended school; 45% worked at home; 31% worked more than 25 hours a week; 48% worked without remuneration; and average remuneration was about BRL 185.00 a month. In addition, persistence of labour within families (45%) was observed. According to data from the MDS, in this age group, 40% of the children and adolescents who worked were from families with no income profile for the PBF (that is, household monthly income per person above BRL 255.01).

The main occupations for child labour include farming and livestock (41%); commerce and repair (vehicles, household appliances) (17%); manufacturing (food, apparel, footwear, etc.) (7%); domestic work (8%); and landfill (0.44%).

According to the MDS, the scenario presented by the 2010 Census confirms analyses that indicate that Brazil has reached the “core” of child labour, that is, children who work in production activities performed in informal businesses and family businesses in urban and rural territories. The main problem is that these activities are performed in places not monitored by inspection bodies, requiring the development of new strategies and cross-sector actions for the eradication of child labour.

Due to the new scenario of child labour indicated in the 2010 Census, the MDS decided in 2013 to restructure PETI, aiming to leverage the programme with definition of goals and coverage areas and promote greater integration with other activities of social assistance policy. According to the MDS, this restructuring strengthened the management and coordinating role of the protection network, as it foresaw strategic actions based on population segments under social assistance policy.

In addition, the new PETI structure sought to improve coordination of income transfers and social work with children and adolescents and their families. In this new structure, socioeducational services were reorganized to leverage the services provided to children and adolescents in child labour situations, expanding the number of municipalities that offered the Service of Interaction and Bond Strengthening (*Serviço de Convivência e Fortalecimento de Vínculos*). This service

performs social interventions coordinated with the Full Attention Service for Families (*Serviço de Atenção Integral a Famílias*) and the Special Attention and Protection Service for Families and Individuals (*Serviço de Proteção e Atendimento Especializado a Famílias e Indivíduos*), aiming to complement the social services provided to families and prevent situations of social risk, strengthening family and community bonds through social interaction⁴⁷.

The complexity of addressing child labour requires cross-sector coordination of several public policies in the territories, which is one principle of PETI. This recognition guided the recent restructuring of PETI. Its strategies and activities will be developed by the social assistance network of SUAS, coordinated with other public policies, in a cross-sector structure composed of five segments: 1) awareness and mobilization in territories with high incidence of child labour, aiming at the development of prevention and eradication; 2) identification of children and adolescents in child labour situations; 3) social protection for children and adolescents in child labour situations and their families; 4) support and follow-up for defence and punishment; and 5) monitoring of PETI actions.

7 - Social dialogue and youths

7.1 - Participation of young people in the development of Brazilian public policies

Regarding the social participation of young people, Brazil has experienced an important period of intense social mobilization by several actors, presenting new demands and reinforcing old themes from youth movements. In June 2013, intense and extraordinary protests by social movements occurred in the country, promoted especially by young people, who took over the streets of the largest cities to fight for more and better rights.

The themes addressed in these protests were not limited to expansion of services, they also questioned the quality of public policies and the effective right to participate in the development of policies. In these protests, demanding participation in policies beyond formal and institutional spaces, young people demanded new channels of direct dialogue in nontraditional segments also, such as social media. However, the themes discussed in this process included

⁴⁷ MDS, Perguntas e respostas: O Redesenho do Programa de Erradicação do Trabalho Infantil (2014).

reinforcement of institutional arrangements for participation in the development of public policies, created as a result of pressure from organized civil society before and after the 1988 Federal Constitution, which is discussed in the next section.

7.2 – Historical aspects of this issue in Brazil

In Brazil, the fight for greater popular participation in public issues started during the period of military resistance, particularly in the 1970s, when popular movements were organized to address demands for education, healthcare, housing, water, energy and transport.

They demanded the creation of mechanisms by which organized civil society could address their needs and influence decisions about public policies. This movement had an important influence on the 1988 Constitution, which was known as the “Citizen Constitution” because it included, among other developments, mechanisms for direct participation by society in decisions at the local and national levels, and created ways to participate in the development of public policies⁴⁸.

Regarding direct popular participation, the Brazilian Constitution foresaw referendums, plebiscites and popular initiatives. In terms of participative democracy, the Magna Carta (the Great Charter) of 2014 created *managing councils for public policies* at the municipal, state and federal levels, with representatives from the federal government and civil society, to develop policies related to public healthcare, full protection for children and adolescents and social assistance. This mechanism turned participation into one of the coordinating elements of public policies in Brazil, as these councils act as institutionalized places for social manifestations. Their function, in general, is to propose and/or deliberate about certain policies or programmes.

Over time, many of these councils started to conduct *national conferences*, broader spaces for participation, in which representatives from the public power and society discuss and submit proposals to strengthen and adapt specific public

⁴⁸ According to Avritzer (2002), the expansion of public participation in Brazil in the 1970s was related to several factors, including: growth of civil associations, in particular, community associations; reassessment by some segments of the society of the idea of rights; an attitude of defence of organizational autonomy in relation to the federal government; the practice of public submittal of claims; and attempts to dialogue with the federal government.

policies. With this institutional development, social participation acts as an attempt to influence definitions and paths toward development and guarantee social control of implementation of governmental programmes and activities.

The ascension to power of one of the political forces originating in the union and social movements from the 1970s and 1980s strengthened social participation. Among many initiatives carried out by public administration for dynamic dialogue with society, in 2003 the federal government implemented a strategy to support national conferences and the creation of new national councils on public rights and policies.

However, many young people do not know about or believe in formal channels and often prefer to act through alternate options. It is important to highlight the current mechanisms for social participation of young people in public policies.

7.3 - Institutional mechanisms for social participation of young people in the development of Brazilian public policies

Although public policies for young people had been created earlier in Brazil, the development of an agenda for youths at the federal level started in 2003, when the civil society, non-governmental and governmental organisations, and international bodies started a broad process of dialogue about the need to create a youth policy in the country. The challenge was to develop policies that ensured protection in different situations of vulnerability and social risk in the life of young people and also offered multiple opportunities for experimentation and social insertion to favour the integration of young people into various social dimensions (Sposito, 2005). This process of dialogue took the theme of youths to the national level, and an agenda was defined.

At the level of legislation, the production of a new legal framework started in May 2003 with the activities of a special commission, Cejuvent⁴⁹, dedicated to monitoring and studying proposals for public policies for youths. The commission formulated three proposals related to the legal framework for youth policy: 1) the insertion of “youths” into the constitutional text, in the chapter on fundamental

⁴⁹ *Comissão Especial de Políticas Públicas de Juventude da Câmara dos Deputados*. The work developed by this commission also included organization of regional meetings with youth leaders and public hearings (33 in total), ending up with a National Conference on Youths in June 2004.

rights and guarantees; 2) a proposal for a Statute on Youths to regulate rights guaranteed by law; and 3) a proposal for a national plan on youths to insert the new subject of rights into discussions of a national policy. The first two proposals are already in effect. However, the 1st National Plan on Youths is still in the approval phase with the legislative branch⁵⁰.

The activities of this interministerial commission, combined with suggestions from social groups fighting for a youth agenda at the federal level, led to: 1) creation of the National Youth Secretariat (SNJ), linked with the General Secretariat of the Presidency of the Republic (*Secretaria Geral da Presidência da República*), to coordinate and supervise programmes and activities for youths; 2) creation of the National Council on Youths, of an advisory nature, whose main function is to promote studies and propose guidelines for the policy discussed above; and 3) creation of the National Programme for Youth Inclusion (ProJovem), an emergency programme developed at first for young people aged 18 to 24 years who were excluded from schools and the labour market.

Since then, from the perspective of youth participation, two national conferences for youth policies have been held⁵¹. The first⁵² was held in Brasília in April 2008, with the theme “*Raise your flag.*” The conference involved a preparatory phase and, according to the National Youth Secretariat, mobilized more than 400,000 people, including young people, technicians, teachers, and public administrators. Around 2,000 people participated at the national level, including representatives and guests.

The 2nd National Conference on Youths was held in 2011, also in Brasília, and there were 1,350 elected representatives and 2,200 participants at the national level. Its motto, “*Win rights, develop Brazil,*” linked winning rights with the country’s development and placed youths as a strategic factor in this process.

⁵⁰ This refers to Law Project **4530/04**, which created several public policies and goals for the next 10 years for young Brazilians aged 15 to 29 years. For its creation, the National Council on Youths held many public hearings to learn about the needs of Brazilian youths from involved young people and organizations.

⁵¹ The conferences are public spaces of social participation, where the participants are, in general, representatives of governmental bodies and organizations and movements of civil society, who present their demands and deliberate on public problems to be resolved regarding the theme being discussed. The resolutions of these conferences are submitted to the governments to be used in the development of governmental policies and programmes.

⁵² Held after the presidential decree of 5 September 2007, coordinated by SNJ and Conjuve.

The preparatory process for the 3rd National Conference on Youths is currently in progress, with the motto *"The various ways to change Brazil"*⁵³, and it will be held in Brasília in 2015. According to the organizers, the digital environment will increase in importance for this conference. The National Secretary of Youth said this about the conference:

"It is also an important environment for youths as a political space to claim rights and fight against prejudice. Young people make politics on the street and the Web. We want to incorporate these two dimensions into the dialogue with youths." (Gabriel Medina, National Secretary of Youth)⁵⁴

Conjuve, along with the national conferences, is also one of the main spaces for social participation of youths in proposals for and social control of public policies. This council is responsible for the creation of the national policy for youths, based on information from national conferences, meetings and seminars that coordinate the joint debate on youth policies among researchers, militants from groups of young people and members from governmental institutions. According to an evaluation conducted by Conjuve (2010), this council has been consolidated as a mechanism for consideration, allowing all the councillors to find solutions together to the challenges addressed, such as the absence of structure and training, difficulties in monitoring policies and the dialogue between civil society and the government.

In 2011, during the 4th National Dialogue on Youth Movements and Organizations, representatives from social movements for youths published an open letter to the President of Brazil, which presented, among other claims, several issues that reflected improvements required in the existing institutional framework of the national policy for youths. However, before introducing the claims, the signatories of this letter recognized the progress to date, but emphasized greater participation and engagement of youth wings, among other entities:

We understand, however, that the efforts made to date are part of an initial cycle that has played an important role, but that now is not enough for the consolidation and sustainability of youth policies in a true national

53 Launched in Brasília on 26 February 2015.

54 Available from the website of Portal Juventude on 28 February 2015:

SNJ: <http://juventude.gov.br/juventude/audios/3a-conferencia-nacional-de-juventude-quer-ampliar-espacos-de-participacao-social>

policy. The strong presence and engagement of youth wings, entities and youth movements, intellectuals and social organizations committed to this theme is very important for youth emancipation and consolidation of public youth policies.” (Open letter, 2011)⁵⁵

Regarding the social participation of young people in the development of public policies, and based on documents produced by youth leaders, the letter request user participation in the monitoring and management of governmental programmes and projects. The comments of a young participant in the Thematic Forum on Youth (2012)⁵⁶ is significant in this regard:

Few programmes feature institutional mechanisms that allow young people to make complaints, suggestions and contributions to improve the actions being implemented. Besides the young people served by the programmes, this consideration also refers to the challenge of institutional spaces for participation to establish dialogue with young people who are not organized in movements, institutions, or forums. Information and debates should also reach these young people, seeking to build mechanisms to ensure horizontal participation in public policies. (Áurea Carolina, representative of AIC in the Thematic Forum on Youth, Belo Horizonte, 2007.)

Therefore, one challenge is to eliminate limits on participative institutions in all social sectors. For youths, councils and conferences are among the most relevant spaces for participation that have been consolidated in the recent history of Brazilian democracy. Whereas youth rights have become stronger and progressed as never before in the last decade with the development of a national policy for youths, the effectiveness of these spaces in changing resolutions into governmental policies and programmes has been criticized by youth movements, because they are often limited to verbal statements.

7.4 - Mechanisms for participation in the development of public policies focused on reducing employment informality among youths

In Brazil, the development of the National Decent Work Agenda for Youths (ANTDJ) occurred through tripartite social dialogue in the ANT DJ Subcommittee⁵⁷.

⁵⁵ Rio de Janeiro, 21 January 2011 - 4^o Diálogo Nacional de Movimentos e Organizações Juvenis, available from: http://portal.mte.gov.br/fisca_trab/estatisticas.htm

⁵⁶ Contribution of Áurea Carolina, representative of AIC at the Thematic Forum on Youth, 2012, available from: http://portal.mte.gov.br/fisca_trab/estatisticas.htm

⁵⁷ Members of the ANT DJ Subcommittee represent 32 institutions, including the ILO; 13 are governmental bodies from public administration of the federal government; 4 are associations of employers; 5 are unions, and 1 is a research and study agency linked with the union movement. The other 7 members represent institutions other than those listed above, such as NGOs, universities and social movements.

This body is the result of efforts by the ILO, the Ministry of Labour and Employment, the National Youth Secretariat and the National Council on Youths. It demanded coordination and dialogue among the government, unions and business confederations. Chart 5 shows the sequence of important events, the main milestones and the results of the creation of the ANTDJ Subcommittee, from its implementation to the present (February 2015).

Chart 5 - Sequence of events in the creation of the ANTDJ Subcommittee, Agenda and Plan

Events	Period
1. Start of coordination and dialogue with unions and associations of workers about a Decent Work Agenda for Youths (ANTDJ).	2007
2. Tripartite workshop held to discuss the general outlines of the proposal for an ANTDJ.	2008
3. Report on decent work for youths in Brazil.	2009
4. Meetings held and consensus on the subcommittee and executive committee to develop proposals for ANTDJ.	2009 / 2010
5. Creation of the Interministerial Executive Committee of the National Decent Work Agenda and Youth Subcommittee, coordinated by the MTE and SNJ of the General Secretariat of the Presidency of the Republic.	Presidential Decree of 4th June, 2009
6. Creation of the Tripartite Advisory Group	2010
7. Process of ANTDJ formulation, debate and approval.	
8. ANTDJ publication and debates held in different spaces, especially in state conferences on decent work and employment.	2011
9. Discussion of this theme at the National Conference on Decent Work and Employment.	2012
10. Tripartite discussion at the subcommittee level on the development of the National Plan of Decent Work for Youths.	2013 and 2014

Source: MTE and ILO, Brazil

Developed by: Ipea/Disoc

Based on this sequence of events, the process of creating the Subcommittee and ANTDJ was based on consensus among representatives from unions, confederations of workers and the federal government. Considering the diversity of interests and the different places occupied by the members of the Subcommittee in the universe of capital and labour, the significant challenges addressed to achieve such results required neutrality in individual interests and agreement about broad interest in providing decent work for youths in Brazil.

7.4.1 - 1st National Conference on Employment and Decent Work (CNETD)

The Subcommittee's strategy for promoting the ANTDJ and discussing it in different environments, especially at conferences on decent work and employment held at the state and national levels in 2011 and 2012, is seen as an appropriate decision by players in this field of action and debate. It fulfilled the purpose of

making people think about the precarious conditions of youth employment in relation to adult workers and the need to develop ways to address this problem.

The 1st CNETD, held in August 2012, had the purpose of promoting a broad debate in the country about this theme in relation to public policies on labour, employment and social protection. It acted as a space for extended tripartite participation and the discussion and submission of proposals related to the content of the ANTD.

7.4.2 – Preparations for the 1st CNETD

These preparations involved more than 250 conferences at the municipal, inter-municipal, state and district levels. The subnational conferences aimed to promote debates on the problem of decent work and employment and receive demands and proposals to support subsequent discussions in the nationwide phase of the conference. Around 20,000 people participated in the nationwide phase, including workers, employers, representatives of the government and other organizations from civil society.

An evaluation conducted by the ANTDJ Subcommittee of the demands and proposals presented in state conferences on decent work and employment⁵⁸ concluded that, despite the predominance of proposals related to illegal aspects of child labour, the theme of work performed by young people of legal age was also present in the debates. This allowed proposals and demands related to the four priorities of ANTDJ, which were: 1) more and better education; 2) combination of studies, work and family life; 3) active and dignified insertion into the labour market; and 4) promotion of social dialogue. However, the results of this evaluation showed that the fourth priority, promotion of social dialogue, was still not often addressed in the proposals:

ANTDJ qualification and management are addressed by only one proposal from one of the states and there are no proposals for the expansion of

⁵⁸ ANTDJ Subcommittee: Decent work for the youth: demands and proposals of state conferences on decent work and employment (results presented in PPT 2012). Data were collected through interviews (managers, representatives of business, union and youth associations) and observations from six conferences (held in São Paulo, the ABC region in São Paulo, Mato Grosso, Pará, Pernambuco, and Rio Grande do Sul) and analysis of reports from 18 state conferences on decent work and employment (held in Amapá, Bahia, Espírito Santo, Goiás, Mato Grosso do Sul, Minas Gerais, Pará, Paraíba, Paraná, Pernambuco, Piauí, Rio Grande do Norte, Santa Catarina, Sergipe, Tocantins, Ceará, and São Paulo, and the ABC region in São Paulo).

social dialogue about the situation of youths in the labour market.” (ANTDJ Subcommittee, 2012 – Evaluation Report)

The reports also stated that:

[there were] several proposals aiming to guarantee unions as defenders of the rights of various social segments, including people with deficiencies (Pernambuco), encouraging debate on sexual diversity and the rights of the LGBT population under collective negotiation (São Paulo), but there are almost no proposals of tripartite dialogue about the rights of young people in the labour market.” (ANTDJ Subcommittee, 2012)

The results of the evaluation of the preparations for the 1st CNETD also highlighted that in the subnational conferences, no interviewees wanted to analyse the ANTJ proposals, as they said they did not know them in detail. The Subcommittee’s strategy should be recognized for its importance in the development of actions focused on expansion of the visibility of the agenda.

7.4.3 - Results of the 1st CNETD

According to the 1st CNETD report, the presence of representatives of employers, workers and the government were guaranteed by the conference process. The national conference gathered 2,007 registered participants, of whom about 1,000 were voting representatives. Regarding the deliberations, 3,966 proposals were approved at state conferences, which, after screening, left 639 proposals to be analysed by representatives at the national conference. At the national conference, 214 proposals were approved by consensus or a majority (more than 80% of the representatives) with the participation of employers.⁵⁹

Regarding the promotion of decent work for youths, the national conference was more promising than the state conferences. Even so, out of 214 proposals approved at the national conference, only 7 were directly related to young people, although hundreds of other resolutions were indirectly linked with the issue of better quality of youth labour.

Chart 6 shows the resolutions approved at the 1st CNETD that indirectly focused on the need to improve the quality of youth insertion into the labour

⁵⁹ The group of employers decided to reject the proposals because it was their understanding that the proposals did not comply with the internal regulations of the Conference, as the new proposals did not match the essence of the original texts, with excesses observed in the discussions. The representatives of employers then met in an assembly and decided to suspend their participation in the 1st CNETD and wait at the event venue until minimum conditions were met for resuming.

market.

Chart 6 - 1st CNETD: Approved resolutions addressing the problem of youth employment

<p>Area: Equal opportunities and treatment, especially for young people, women and the black population. Proposal 1: Strengthen the participation of young people as political subjects in social control of public policies of interest to their segment.</p>
<p>Area: Insertion of youths into the labour market Proposal 2: Expand public education policies for technical and professional training of young people and adolescents. Proposal 3: Expand the services offered by Projovem Urbano and Projovem do Campo to young people in high school and encourage partnerships involving the MTE, SNJ, and SNAS to expand actions focused on youths. Proposal 4: Guarantee compliance with the quotas established in the Law on Professional Learning (Law 10.097/2000, regulated by Decree 5.598/2005). Proposal 5: Ensure public financing, at the municipal, state and federal levels, of training for adolescents aged 14 to 16 years. Proposal 6: Establish institutional mechanisms to monitor ANTDJ implementation, with the participation of young workers and employers.</p>
<p>Area: Inclusion of people in vulnerable situations Proposal 7: Guarantee scholarships for adolescents aged 15 to 17 years from families with household monthly income per person up to 1/2 a minimum wage, until the conclusion of training, linked with the student attendance and progress.</p>

Source: Final report of the 1st CNETD. Brasília: MTE.

Developed by: Ipea/Disoc.

7.6 - General considerations regarding social dialogue with young people

In Brazil, there are several institutionalized arrangements for participation that allow increasing governmental permeability to fulfil the demands of the society in the development of public policies for youths. Some of these deal specifically with public actions focused on reducing informality among youths, including councils, conferences, workgroups and the ANTDJ Subcommittee.

In the field of social participation, the last decade in Brazil was rich in the creation of new mechanisms for participation – councils, conferences, roundtables, ombudsmen, public hearings, workshops for participation in the development of the Multi-Year Plan, and creation of new secretariats to fulfil the demands of social movements, among others. Even so, the protests that occurred in Brazil in June and July 2013 showed the discontent of the young population with the traditional mechanisms of political participation. It is notable that a significant number of people, especially from young segments, wants to improve the quality of services offered by the government and have their voice recognized in political issues⁶⁰.

⁶⁰ See: Silva, Enid Rocha A. Em <http://www.ipea.gov.br/participacao/noticias-do-ipea/813-artigo-questiona-ausencia-de-participacao-na-construcao-de-agenda-de-politicas-e-os-limites-dos-arranjos-participativos-federais>.

How should we interpret the fact that the discontent and protest that took over the streets in early June 2013 did not reach the federal government through the various channels of social participation offered by the federal dimension? This and other unanswered questions that arose from the unexpectedness and power of the protests can be interpreted in many ways. We will consider lack of participation in the development of an agenda for public policies and limited arrangements for participation offered by the federal dimension.

Despite the existence of several mechanisms for social participation, the development of an agenda for public policies is still vicious and often ignores the principles of representative democracy, and the role of institutional actors is expanded in the selection of themes to be addressed by the government. Actions related to legislation, regulation, inspection, promotion and development of public policies are assigned to the bodies that make up the strategic core of the government, involving the upper bureaucracies of the secretariats that develop public policies and regulatory agencies. Non-institutional actors – social movements, NGOs, and civic associations – have little influence on this process. That is, the demands of these actors do not lead to tangible results, considering that other factors prevail in the policy implementation process. Although social movements are included in the participative phases of the policy cycle (e.g., conferences), their demands are not actually considered in other phases of the cycle.

Although new arrangements for participation have been created and strengthened in the last year, contributing to increased social control and governmental permeability to public interests, many of these new mechanisms do not have the proper tools to actually enforce their proposals and deliberations with public administrators. A study that analysed national conferences conducted between 2003 and 2006 (Ipea/SG-PR, 2008) showed that the federal government still had no institutional management process for deliberations from conferences. Each council or ministry processed the deliberations in its own facility. It should be noted that there was no institutional procedure for ensuring that deliberations from certain types of participation would have power in the decisions of the executive and legislative branches and impact the cycle of development, control and management of public policies.

The challenges that councils and national conferences have encountered include: 1) lack of a strategy for horizontal coordination among the various national conferences, resulting in obstacles to solving numerous cases of recurring, overlapping and often antagonistic deliberations; 2) conferences on the same or similar themes with a very short interval between, leaving less time for councils and ministries to process the results; 3) lack of a monitoring system for deliberations submitted, leading to problems in reporting effective results of social participation; 4) lack of integration among decisions at the national council level related to deliberations from conferences and decisions made at the National Congress level. This aspect often results in decisions from the National Congress that do not match deliberations from national conferences.

Greater social participation in federal issues has involved contradictions and limits that should be addressed to make it an increasingly democratic instrument. The main challenge to be addressed is translating proposals and resolutions of councils and conferences into political decisions and submitting them to proper sectors of public administration to be transformed into concrete public measures and policies.

7.7 – Social dialogue, unions and youths in Brazil

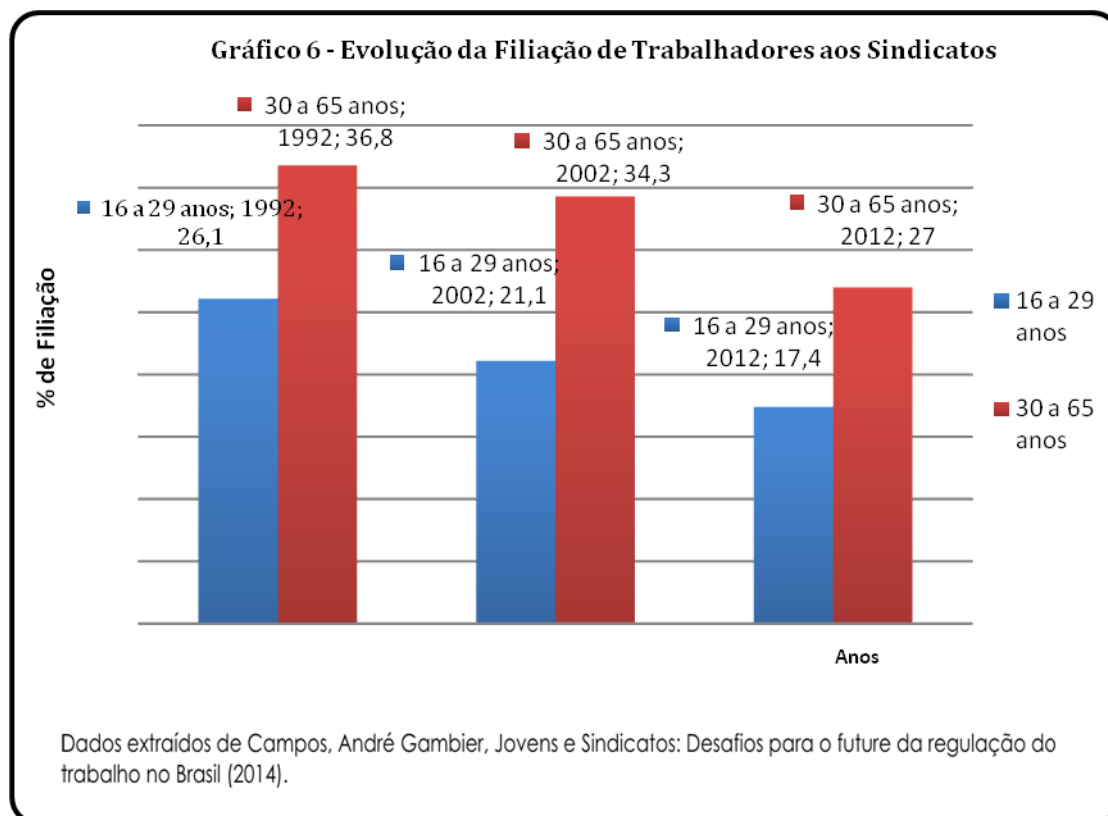
The dimension of social dialogue related to unions and youths in Brazil remains a great challenge. Young people still have little presence in these areas, the consideration of labour issues of interest to youths is insignificant in collective negotiations conducted by unions. The reality is that, in Brazil, young people are poorly represented by worker and employer organizations. The reasons for this may involve three sets of problems. The first refers to the characteristics of labour insertion of young people in Brazil. The second is related to legal support for unions in Brazil, which ends up creating obstacles to increasing the number of members, especially workers in the informal economy, where a significant number of young workers operate in Brazil. The third involves issues related to the political culture of contemporaneous youths, who do not feel represented by current institutions and union structures, which are seen as unable to understand and attract young workers.

7.7.1 - Union membership of youths in Brazil

Union membership of workers has decreased considerably in Brazil. According to André Campos (2014)⁶¹, between 1992 and 2002 the proportion of workers associated with unions decreased 3%, from 32.4% to 29.4%. Between 2002 and 2012, a 6% reduction was observed, from 29.4% to 23.7%. For Campos (2013, 2014), a weakened Brazilian economy was the cause of this reduction in the 1990s. In the 2000s, despite economic growth, increases in union membership for workers was not able to keep pace with the increase in occupations.

Information about union membership among young and adult workers in 1992-2012, presented in Graph 6, illustrates the distance between young workers and unions. Union membership among youths remained far below that of adult workers during the period analysed. However, between 1992 and 2002, union membership among young people fell more than among adults; among workers aged 16 to 29 years, a 5.7% reduction was observed, while workers aged 30 to 65 years showed a reduction of only 2.5%. But between 2002 and 2012, union membership among adults presented a much higher reduction (7.3%) than young workers (3.6%).

⁶¹ Campos, André Gambier. *Jovens e Sindicatos: Desafios para o future da regulação do trabalho no Brasil* In Corseuil, Carlos Henrique e Botelho, Rosana – *Desafios à trajetória profissional dos jovens brasileiros*. Rio de Janeiro, 2014.



The analysis conducted by Campos (2013) showed that in the 1990s, when union bases were reduced, these organizations were distant from young workers. In the 2000s, even with expanded bases, trade unions did not promote links with young workers:

“The evidence of the aging aspect of this structure indicates that, instead of young people being closer to unions, a certain distance is observed. In other words, in comparison to previous generations, young people seem to be less interested in unions (in all terms that may make up a so-called ‘union life’: membership, mobilization, etc.)” (Campos, André. 2014:197 am)

Another author, Anderson Campos (2010)⁶², in an attempt to understand the reduced union membership of young workers, said labour market disorganization, along with greater vulnerability of young Brazilian workers, also impacts trade union membership, even in periods of membership recovery in Brazil.

Unemployment broke the backbone of solidarity. Competition grows among workers in an increasingly flexible labour market. In addition,

⁶² Campos, Anderson de S., Juventude e ação sindical: crítica ao trabalho indecente / Anderson Campos. –Rio de Janeiro: Letra e Imagem.

instability and fear of unemployment have become drivers of demobilization.

7.7.2 - Characteristics of the labour insertion pattern for young people in Brazil

Data from the 2013 PNAD showed that 63% of young Brazilians were inserted into the labour market. About 70% of the population group aged 18 to 24 years were in the working population, and among young people aged 25 to 29 years, this rate reached 80%. The main characteristics of the pattern of labour insertion for young people were summarized in the introduction of this report, which highlighted: 1) high unemployment rates; 2) high labour turnover; 3) high informality rate; 4) more than 44 working hours a week; 5) gender inequality; and 6) low remuneration.

Based on the characteristics of the occupational patterns of young Brazilians, it is possible to understand the obstacles faced by unions in approaching young workers. Most working youths are in informality and work in precarious situations, presenting high unemployment rates and high labour turnover. Many unions and worker centres have made efforts to restructure practices and inclusion of the main demands from young people in their general agendas, for example, reduction of working hours. Fulfilling this specific demand would help improve the quality of life and work of young people. With more free time, young workers would have more time for leisure and engaging in union activities.

(...) precarious work conditions in all sectors and their various impacts on young workers should also be considered. How can young workers have a social life or participate in political actions in their cities after a brutal day of work in civil construction or telemarketing centres? With worsened work conditions, suppression of unions and fighting for rights, in a scenario of outsourcing and subcontracting, among other dramas, what are the prospects of popular participation for most young workers? (Áurea Carolina, representative of AIC in the Thematic Forum of Youth, Belo Horizonte, 2007)

7.7.3 - Legal support for union organizations in Brazil

Brazilian unions have a similar history to that of other Latin American unions, that is, their origin and resistance to them occurred in successive periods of authoritarian governments and economic crisis. In undemocratic contexts, not long ago, policies of professionalization and qualification considered young workers as objects, not subjects, of policies, and did not offer mechanisms for participation to organized youths or worker centres.

In addition, regulations focused on unions in Brazil, which were created to fight against communism, and were structured according to dynamics of corporatism that are still very strong in the country (Lopes; Lima, 2005). Union freedom and autonomy were guaranteed by law only in 1988, but although the Federal Constitution guaranteed rights of free association, it limited the possibility of participation by retaining single unions and mandatory contributions⁶³.

In addition, the government does not grant legitimacy to coalitions of union entities that include workers from distinct categories. Unions are not allowed to join together freely; only federations and confederations of workers from the same category are recognized. Union centres that combine unions from different categories are not allowed to formally represent their workers (Brazil, Chamber of Deputies, 2010)⁶⁴.

This is one of the reasons that Brazil is not a signatory of ILO Convention 87, signed by countries like Argentina, Uruguay and Paraguay. As an alternative to the corporatism that is still predominant in Brazil, organizations have adopted the idea of “citizen unions” and the need to recognize and encourage acquisition of timely professional training and education.

In Brazil, the main mechanisms for regulating changes in relations between employers and employees have come about through institutional pressure to change general labour laws. Opportunities for social dialogue like the ANTDJ Subcommittee are still recent efforts. Associations and confederations of workers have also participated in conferences, councils and instances for young people that have been created, not only at the federal level, but also in many states in the country.

⁶³ A single union, one of the most important aspects of the Brazilian union system, means the existence of a single union per category of workers in one area, which should cover at least one municipality.

⁶⁴ SNJ: <http://www2.camara.leg.br/camaranoticias/noticias/trabalho-e-previdencia/150327-saiba-mais-sobre-o-modelo-sindical-brasileiro.html>

Collective negotiations with young workers conducted by worker organizations represent a double challenge, as this is a theme that has only recently gained legitimacy. Worker centres are attempting to train youth leaders in order to conduct more legitimate dialogue. The main themes of interest for young people discussed in these organizations refer to expansion of rights in the areas of education and labour, such as the need to create public policies to expand and improve education in general and ensure that young people can complete their education before entering the labour market. The most common proposals include expansion of university support for students, allowing access to food, transport and low-cost housing, and creation of high school scholarships. For young people already inserted into the labour market, worker organizations intend to progress toward better conditions for decent work, with inspection of employment agreements with young workers.

7.7.4 - Youths and unions and the difference in political culture

These organizations discuss the need to change the old union system to place youths among their priorities. They believe that the main challenge today is to reach non-affiliated young people, whether due to lack of political engagement and information or because they are informal workers without representation, which is even more challenging.

Reaching non-organized or informal young workers is an even more recent discussion. It should be noted that the policies on decent work developed to date encourage formalisation and seek to expand labour rights, but there has been little progress towards better work conditions and greater autonomy for informal workers.

The need to change union practices became even more evident after the street protests in Brazil in June and July 2013 that occurred in the country's most important cities. The main reasons for these protests were demands for more and better social policies (health, education, transportation, housing), and opposition to corruption, the "old policy," and political parties, politicians and other organizations, which, according to the protesters, represented the old institutionality.

In the view of some young workers, today there are forms of protest and organization that occur outside unions and are often more effective and interesting:

“Today, young workers are not really interested in unions, in many cases due to lack of knowledge of the history of workers. More investment is required in union training and approaching young workers” (a union manager, 25 years old)⁶⁵

For Aquiles (2011)⁶⁶, the problems to be addressed by unions do not allow prediction of how to implement the required changes. However, this author recognized that:

The persistent bureaucratic-legal structure that considerably limits the freedom and autonomy of workers plays an important role in increasing the dilemmas, synthesized into a crisis of political representation of union members. (Aquiles, 2011)

Therefore, the avoidance of unions by young workers should be further detailed, discussed and analysed, as this is an important mechanism of participation and social dialogue among young workers and their organizations. This is a difficult task, considering all the factors involved in the distance between young workers and unions, including economic aspects and the political representation of unions.

However, it is possible to foresee responses based on reorganization and changes in union structure aiming to increase the participation of young workers, for example, the creation of youth secretariats in union centres. It is also necessary to intensify the dialogue between young workers and unions, considering changes in aspects of democratization, debureaucratization, dynamism, and improvements in the ability of unions to attract ethnic minorities and marginalized and non-organized workers (Rodrigues, 1999).

⁶⁵Available from: <http://www.fetecsp.org.br/index..>

⁶⁶ Estrutura sindical e mundo do trabalho: alguns dilemas contemporâneos do sindicalismo brasileiro, Affonso Cardoso . Available from: <http://periodicos.ufpel.edu.br/>.

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