



Considerations about (Re) Meaningful Social Representations about Quality of Life of Government Employees in Telework in Brazil

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Abstract: The study aims to analyse, from the Social Representation Theory, the perception of civil servants regarding the challenges and opportunities of telecommuting that they faced during the pandemic period, from the perspective of Quality of Work Life (QWL). To this end, documentary research was conducted, examining case law in the Brazilian Public Administration, among state and federal civil servants, in the period from March 2020 to November 2021. Data analysis suggests gains in QWL, given that the jurisprudences emphasize requirements for permanence or adherence to telework. It is possible to perceive the relevance of Social Representations in this context of profound changes in the work routine of public servants, since it helps to 'conventionalize' such events and objects. The study contributed to advance in a little explored field of QWL and to explore the viewpoint of civil servants about their work context, especially in this period of significant changes.

Keywords: Quality of Work Life (QWL), Telework, Public Administration.

1. INTRODUCTION

When the World Health Organization (WHO) recognized the coronavirus outbreak as a pandemic in March 2020, social distancing emerged as one of the main measures adopted by the authorities to contain its advance. In this scenario, telework, which was already a worldwide trend, a result of the evolution of Information and Communication Technologies (ICT), increased in an unexpected and exponential manner. Organizations, in general, whether familiar or not with this kind of work, had to send workers home and adapt to the "widest experience of mass teleworking in history" (ILO, 2020, p.1).

Freitas et al. (2021) call attention to the fact that the process of change established by social paradigms and behaviours are accelerated by historical disruptions. In this perspective, the authors (2021), make a retrospective, pointing out the motivation for the first attempts to implement remote work: the oil crisis in the decade of 1973 and 1979, which generated concern about gasoline consumption and congestion in the regions; the rapid growth and momentum of technology in the 1980s, which pointed to the need for expansion of business in places other than the headquarters; the high level of unemployment in Europe in the 1980s.

Before the pandemic, among European Union (EU) countries, the incidence of regular or occasional telework was something like 30% in Denmark, the Netherlands and Sweden; and approximately 10% in the Czech Republic, Greece, Italy and Poland. In the United States of America, about 20% of the working population worked regularly or occasionally at home, or another alternative location, 16% in Japan, and 1.6% in Argentina (Eurofound, 2020a).

With the confinement measures implemented in 2020, nearly 4 out of 10 workers in Europe will telecommute (Eurofound, 2020b). In Finland, about 60 percent work from home; in Luxembourg, the

Netherlands, Belgium and Denmark, more than 50 percent; in Ireland, Austria, Italy and Sweden, about 40 percent. On average, 24% of workers in Europe who had never worked from home before began to do so (ILO, 2020). In Brazil, according to a survey conducted by the company Vagas.com, job offers in the home office model grew 309% in 2020 (Vicentin, 2021). From one moment to another, workers and organizations had to adapt to a new way of working, changing their routines and workspaces. Just as it happened in private organizations, the COVID-19 pandemic was responsible for a rapid expansion of telecommuting in the public service. In the judiciary, for example, it worked during the most critical period of the virus proliferation in virtually all its sectors, involving a significant number of servers (CNJ, 2021).

This mobilization also reflects in new labor configurations, giving rise to new demands related to labor rights and guarantees for professional practice appropriate to this context. According to information from Forum Magazine (2020), during the pandemic there was an increase of more than 270% of labor lawsuits involving telework if compared to the same period.

According to Álaba Pereira (2020), telework is still an arrangement considered recent in the sphere of the Judiciary, and as it develops, it demands the need for specific regulations, not allowing a prior and broad knowledge of all its unfoldings.

In the Brazilian Judiciary, telework was initially implemented in the Superior Labor Court (TST), which adopted the model in 2012, signaling important changes in the structures of public service. It should be noted that the institutionalization of the Electronic Judicial Process (PJE), in 2006, was a milestone, because by admitting procedural steps and practices of procedural acts in digital form, it created the basis for the implementation of telework in its organizational context (Pereira et al., 2021).

National Council of Justice (CNJ), even before the pandemic, regulated telework in the Judiciary, through Resolution N. 227 of June 15, 2016, defining it in its Article 2 as modality of work performed remotely, with the use of technological resources.

Among the motivations for the regulation of telework, the CNJ (2016) highlighted: (i) the need for improvement of people management, understanding the indispensability of motivating and committing people, seeking to improve the organizational climate and the quality of life of servers; (ii) technological advancement; (iii) the advantages and direct and indirect benefits resulting from telework for the administration, for the server and for society; (iv) the successful experience of courts that had already adopted the working mode.

The guidelines outlined by Resolution 227, CNJ (2016), served as a basis for various regulations of the Courts. Resolution 298 of the CNJ amended resolution 227, October 22, 2019, innovating by expressly admitting telework abroad, provided it is in the interest of the Administration (CNJ, 2019). Such normative have contributed to driving the process of change during the pandemic, in which remote work, using technology, has gained prominence. Besides the Judiciary, we can highlight other entities of the Brazilian Public Administration that have implemented telework in a pioneering way, as is the case of the Federal Data Processing Service (SERPRO), which adopted telework through a pilot project in 2005; The Federal Audit Court (TCU), which regulated the work performed outside its premises through ordinances 139/2009 and 99/2010; the Federal Revenue of Brazil (2012); and the Office of the Attorney General of the Union - AGU (2011) (Silva, Nascimento& Castro, 2022)

Making a brief historical overview, it is identified that in Brazil remote work was regulated for the first time in 1943, with the Consolidation of Labor Laws (CLT). Hazan&Morato (2018) explain, however, that there was no substantial addition to the Brazilian legal system, because art. 6 of the CLT only determined the equivalence between the work performed at the business establishment and the work performed at the worker's home when the employment relationship was characterized.

In 2011, there was an attempt to extend the regulation, equating the legal effects of subordination exercised by telematic and computerized means by personal and direct means (Brasil, 2011). Law No. 13,467, of July 13, 2017, once again amended the Consolidation of Labor Laws (CLT) to adapt the legislation to the new labor relations, but still insufficiently.

In this context, the issue of Quality of Life at Work (QWL) needs to be discussed, due to the need to consider the perspectives of workers in relation to the challenges and opportunities of telework, such

as family and life situation, nature of the activities, skills for this dynamic work. With openness to the theme, from the perspective of the associated representations, it is possible to promote a constructive social dialogue for workers, expanding the sharing of information and negotiation necessary for QWL (ILO, 2020).

Silva, Nascimento and Castro (2022), in an integrative review on the subject, found that researches relating telework in institutions with the issue of quality of life of the worker are extremely recent. Of their research corpus, approximately 73.91% of the results found were done in the period from 2020 to 2021. The authors also pointed out that most of these studies directed their research to the analysis of the quality of life of public servants in the context of the pandemic and in the face of the compulsory adoption of telework in public organizations.

The findings about the social world need to be studied in a theoretical framework to gain meaning (Guerra & Ichikawa, 2010). In this perspective, it is proposed for the study reference to the Theory of Social Representations, from case law involving the theme telework and quality of life in the Brazilian Public Administration, in the period from March 2020 to November 2021, a time when there is a substantial increase of these public servants working remotely.

The study contributed to understand the perception of civil servants about teleworking during the period marked by the pandemic, evaluating whether there was an increase in quality of life in their work routines, and social repercussions on the subject in the context of labor claims.

2. QUALITY OF LIFE AT WORK AND THE THEORY OF SOCIAL REPRESENTATIONS

The term 'Quality of Life at Work' (QWL) carries many meanings, reflecting knowledge, experiences and values of individuals and collectivists (Sant'anna, Kilimnik & Moraes, 2011). The interest in studying the QWL theme dates back to the oldest times of civilization, reaching greater significance and strength in the context of organizations when studies on behavioural, psychosocial and motivational aspects of the worker began (Pereira et al., 2021).

Sant'Anna, Kilimnik and Moraes (2011) point out that there has been an evolution and improvement of its definition temporally. Since Walton (1973), who understood QLW as a means to rescue humanistic and environmental values neglected in favour of technological advancement, productivity, and economic growth, other variables and emphases involving the theme have appeared, revealing its comprehensiveness and complexity. The expanded definition of quality of life recognizes the dimension of the human being, having a holistic nature, since it considers the individual in all its dimensions (Andrade, Limongi-França & Stefano, 2019).

Sant'Anna, Kilimnik and Moraes (2011) highlight issues such as personal growth, self-fulfillment and improved productivity and efficiency, job appreciation, worker well-being, organizational identification, job satisfaction, job involvement, effort and performance, intention to quit and personal alienation.

From the conceptions, emerge the varied models of QLW, based on different approaches, which vary according to cultural values and socio-political-economic and cultural contexts prevailing at the time and in society, as well as considers the previous experiences of each researcher, present in the choices and decisions during the development of investigations (Sant'anna, Kilimnik & Moraes, 2011).

Among the best-known QWL models in Brazil, it is recognized the one advocated by Ferreira (2011), considering action within the Center for Ergonomics of Activity, Cognition and Health at the University of Brasília. His approach goes against the hegemonic welfare approach, proposing a QWH approach centered on the workers' perspective, based on activity ergonomics.

Ferreira (2011) explains that in this approach the concept of QWL integrates two perspectives: from the perspective of organizations and from the perspective of workers: (i) the first perspective emphasizes the institutional dimension in the approach related to QWL, which would constitute one of the purposes of organizations, adding as a value of their organizational culture, incorporating it into their organizational management model; (ii) the second perspective emphasizes the point of view of workers of the organization.

The 'raw material' of QWL, therefore, are the workers' mental representations that allow us to unveil what they think about their work context. The representations present the evaluations that workers make based on experiences, experiences, stories, facts, and situations that mark the history of people in the organizational context. Still, according to the author, there is a multiplicity of threads that weave the representations of QWL as, for example, the well-being at work, highlighting: (i) recognition in the various modalities; (ii) the real possibilities of development and professional growth, (iii) respect for characteristics, limits and individual capabilities (Ferreira, 2011).

When studying the relationship between pleasure and suffering at work, analysing research by authors such as Mendes (1995, 1999), Mendes and Linhares (1996) and Mendes and Abrahão (1996), Ferreira and Mendes (2001) conclude that pleasure is experienced when the work favours the appreciation, recognition, expression of personal brand and space for creativity, and also pride and admiration for what one does (Ferreira & Mendes, 2001).

Still on the subject, based on the findings of Dejours (1995, 1997, 1998), Ferreira and Mendes (2001) inform that suffering would originate in the mechanization and robotization of tasks, pressures and impositions of work organization, adaptation to the organizational culture or ideology, and the creation of incompetence (when the worker feels incapable of doing something because of the retention of information that destroys cooperation). The current forms of work organization would be related to new forms of suffering, with cooperation and disapproval being among the most relevant items of these changes. The difference resulting from the increase in the worker's attributions may imply in reproach, which has repercussions in the risk of losing one's own identity (Ferreira & Mendes, 2001).

In the perspective of QWL to be considered from the representation about the work context, the Theory of Social Representations (TRS) is summoned to the theoretical dialogue, due to its contribution to the understanding of the process of transformation of concepts from the universe of scientific knowledge to the consensual universe, or 'common sense', besides presenting how members of these universes understand these concepts (Guerra & Ichikawa, 2010).

Addressing QWL on telework from the perspective of TRS, therefore, raises analysis on emblematic issues regarding this labour mode: (i) the first focuses efforts on the advantages of telework and is related to the business area; (ii) the second emphasizes the pessimistic aspect, in which the flexibilization of work resulting from computerization is glimpsed, as a new form of domination of the workforce, with the precarization and exploitation of workers; (iii) the third adds critical readings, contributing with questionings of the different contexts, expanding reflections (Rocha & Amador, 2018).

Serge Moscovici (2005) the main reference of TRS, in Bertoni and Galinkin's (2017) reading, defines that the author conceptualizes that an individual does not create SRs isolated, therefore, to understand a representation, it is necessary to start with that (or those) from which it originated, based on the processes of 'anchoring' and 'objectification'. Anchoring classifies and names something, represents an action that transforms something strange and disturbing into the particular system of categories, comparing it with a paradigm of a category more appropriate to the subject, about previous conceptions. Objectification, as far as he is concerned, would be the reproduction of a concept in an image.

The studies of Social Representations (SR) have roots in psychology, psychoanalysis and sociology, originating from the need to explain the way subjects know and think reality and build their daily lives (Salas, 2021).

In this path, the SRs have as one of its functions 'conventionalize' objects, people or events, giving them shape and locating them in a certain category, gradually inserting them in a certain group of people (Bertoni&Galinkin, 2017). Thus, it can expand reading about how people represent telework, in consideration of the demands related to QLW, with room for new configurations on meanings attributed to the theme, by the extended remote work experience, derived from the context and crisis.

3. METHODOLOGY

This is qualitative research, since it answers questions that involve a “universe of meanings, motives, aspirations, beliefs, values and attitudes”, corresponding to a deeper universe of relationships, processes and phenomena that are not reduced to the operationalization of variables (Minayo, 2001, p.14).

For the preparation of the article it was undertaken documentary research, analysing case law, the result of judgments and positions of the Courts, related to the theme ‘telework’ and ‘quality of life’ in the Brazilian Public Administration, among state and federal civil servants, in the period from March 2020 to November 2021, a time when there is a substantial increase of these servers working remotely, due to the COVID-19 pandemic.

The research corpus was obtained from research on the Jus Brazil platform, a Brazilian startup that allies law and technology, providing legal professionals with a vast bank of doctrine, models of plays, articles, news, and jurisprudence involving themes from the legal world.

According to the company, in Brazil, the platform is accessed daily by over 1.6 million people (JUSBRASIL, 2021), demonstrating the relevance of its repository for research, especially considering the deficient and unintuitive search systems of most national courts.

The search was carried out using the temporal filter and within the field of jurisprudence referring to the Courts of Justice (TJs) and Federal Regional Courts (TRFs) throughout the country, in addition to the Higher Courts (STF and STJ), indicating as descriptors: ‘Quality of Life’, ‘Telework’, ‘Public Administration’, ‘Public Servant’. From this criterion, a total of 80 jurisprudences were reached, being, subsequently, discarded 52, for not relating directly to the subject of the research, leaving 28 jurisprudences to be examined, presented in the following topic.

4. PRESENTATION OF THE RESULTS

Table1. *National case law involving telework and quality of life in the pandemic period*

Cases/Court	Subject	Themes	Decision/Vote
STJ - MS: 25969 DF 2020/0079653-7, Rel. Min. GURGEL DE FARIA(JURIS1)	The Ministry of Citizenship is seeking to adopt telework for its public servants.	Control of administrative acts by the Judiciary	Termination without trial of merit / lack of interest to act
TJ PR MS:00188678820218160000, Rel. Vicente Del PreteMisurelli(JURIS 2)	The permanence of a female employee of the risk group in telework is sought.	Risk Group	Order granted.
TJ-DF AI07322669520218070000, Rel. Ana Maria Ferreira da Silva (JURIS 3)	The server's permanence in telework is sought due to health restrictions.	Risk Group	Emergency guardianship, not granted lacking evidence.
TJ-DF 07022937520208070018 DF 0702293-75.2020.8.07.0018, Rel. GislenePinheiro(JURIS 4)	Possibility of telecommuting for servers of the risk group in the urban cleaning directorate. SLU.	Control of administrative acts by the Judiciary.	Illegality of normative instruction. Discrimination based on function or place of work.
TJ-DF 07396747420208070000, Rel. AngeloPassareli(JURIS 5)	It challenges Circular 15/2020-SES/SUAG, which determined the suspension of telework within SUAG itself.	Control of administrative acts by the Judiciary	Injunction denied. A discretionary act of the Administration, the Judiciary cannot intervene in the matter.

Considerations about (Re) Meaningful Social Representations about Quality of Life of Government Employees in Telework in Brazil

TJ-CE - RemessaNecessáriaCível: 00511197820208060091 CE 0051119-78.2020.8.06.0091, Rel. Paulo Francisco Banhos Pontes (JURIS 6)	Permanence of the municipal servant (doctor) in telework, considering that she is in the risk group and lives with her elderly mother.	Risk Group	The sentence that ruled for the granting of security in favour of the plaintiff was upheld.
TJ-DF 07017222720208079000, Rel. GilmarTadeu Soriano, 3ª TurmaRecursal dos JECC Distrito Federal(JURIS 7)	Permanence of the server (doctor) in telework, due to comorbidity.	Risk Group	Injunction denied. Comorbidity not demonstrated.
TJ-PR - SS: 00041790220208160148 PR (Acórdão), Rel. Juiz Luciano Campos de Albuquerque, Julgamento: 15/02/2021, 5ª CâmaraCível(JURIS 8)	Telework modality for a server with comorbidity during the pandemic period.	Risk Group	A servant of the risk group must remain in telework for the duration of the pandemic.
TJ-DF 07026801320218070000 DF 0702680-13.2021.8.07.0000, Rel. Gilberto Pereira de Oliveira, Julgamento: 05/04/2021(JURIS 9)	Permanence in telework for a server with comorbidity.	Risk Group	Comorbidity not demonstrated. Writ denied.
TJ-PR - INF: 00247002420208160000 PR 0024700-24.2020.8.16.0000 (Acórdão), Rel. Des. Luiz Taro Oyama, Julgamento: 08/03/2021, 4ª CâmaraCível(JURIS 10)	MS. Resolution that determined the convocation of education servers for face-to-face work at the time of the covid-19 pandemic.	Control of administrative acts by the Judiciary	Non-existence of violation. System of scales and observance of the norms of prevention of dissemination of the disease. Order denied
TJ-DF 07243310420218070000, Rel.JesuinoRissato, Conselho Especial, (JURIS 11)	Elderly employee who wishes to remain on telecommuting even after the second dose of the vaccine.	Risk Group	Authorization to remain in telework until the trial of the merit of the writ.
TRF-4 - AC: 50197361820204047000 PR 5019736-18.2020.4.04.7000, Rel.Ricardo Teixeira do Valle Pereira (JURIS 12)	Teachers Association seeks to reform the sentence that suspended teachers' benefits for telecommuting.	Suspension of benefits	Injunction granted. Probability of the right and danger of damage demonstrated. Condition removed due to force majeure.
TJ-PR - INF: 00187711020208160000 PR 0018771-10.2020.8.16.0000 (Acórdão), Rel. Des. Marcos S. Galliano Daros, Julgamento: 09/03/2021(JURIS 13)	A probationary employee who intends to telecommute to a location far from her district.	Control of administrative acts by the Judiciary	Illegalities not verified. Lack of liquid and certain right - security denied.
TJ-PR - MS: 00219046020208160000 PR 0021904-60.2020.8.16.0000 (Acórdão), Rel.Des.Maria Aparecida Blanco de Lima, Julgamento: 31/08/2020, 4ª CâmaraCível (JURIS 14)	MS against the act of the Health Secretary who denied the request of the plaintiff, a public servant, to work in a 'home office' regime during the covid-19 pandemic.	Control of administrative acts by the Judiciary	Administrative decision without motivation. Nullity. Offense to net and certain right evidenced. Security granted.

Considerations about (Re) Meaningful Social Representations about Quality of Life of Government Employees in Telework in Brazil

TJ-SP - AC: 10137506420208260224 SP 1013750-64.2020.8.26.0224, Rel.Heloísa Martins Mimessi, Julgamento: 19/10/2020, 5ª Câmara de Direito (JURIS 15)	Medical employee wants to telecommute because he is part of the risk group.	Control of administrative acts by the Judiciary.	Adequate sanitary conditions. Distance from the front line of care. Risk inherent to the medical activity. Judgment of upholding reformed.
TJ-CE - AI: 06222856120218060000 CE 0622285-61.2021.8.06.0000, Rel. Paulo Francisco Banhos Ponte, Data de Julgamento: 05/07/2021, 1ª CâmaraDireitoPúblico (JURIS 16)	Nurse server, pregnant, who wishes to be removed from face-to-face work.	Risk Group	IA known and provided to reform the aggravated decision and grant in favour of the aggravating party.
TJ-PR - REEX: 00030133220208160148 (Acórdão), Rel. Des. Astrid Maranhão de CarvalhoRuthes, Data de Julgamento: 30/11/2020, 4ª CâmaraCível (JURIS 17)	Elderly server requires telework.	Risk Group	Sentence that granted MS upheld to maintain the server on telework.
TJ-PR - AI: 00197948820208160000 PR 0019794-88.2020.8.16.0000 (Acórdão), Relator: Des. Guimarães da Costa, Data de Julgamento: 26/10/2020 (JURIS 18)	Aging radiologist requires remote work.	Risk Group	Appeal prejudiced. Issue of Decree that removed him from his duties.
TJ-SP - AI: 20763116620218260000 SP 2076311-66.2021.8.26.0000, Rel. DjalmaLofranoFilho, Julgamento: 04/08/2021, 13ª Câmara de DireitoPúblico (JURIS 19)	Sanitary strike called by the Union of Teachers of Official Education of the State of São Paulo. Server is not part of the risk group.	Control of administrative acts by the Judiciary.	Appeal not provided. The Judiciary is limited to checking the formal aspects of validity and effectiveness. Health protocols adopted.
TRF-4 - AG: 50283468620214040000 502834686.2021.4.04.0000, Rel. Victor Luiz dos Santos Laus, Julgamento: 10/10/2021, QuartaTurma (JURIS 20)	The union pleaded for the suspension of the requirement of meeting goals, while the pandemic lasts, determining the INSS to pay the full remuneration.	Control of administrative acts by the Judiciary.	The Judiciary shall not review the criteria adopted by the Administration, except when they are vitiated by defects in legality.
TRF-4 - AG: 50119019020214040000 5011901-90.2021.4.04.0000, Rel. VivianJosetePantaleãoCaminha, Julgamento: 04/08/2021, QuartaTurma (JURIS 21)	In-person return of servers to the jurisdictional and administrative units of the First and Second Degree Federal Justice of the 4th Region.	Control of administrative acts by the Judiciary.	No legal defect has been evidenced. There is no reason to order the suspension of in-person activity.
TJ-MG - MS: 10000205458326000 MG, Rel. BitencourtMarcondes, Julgamento: 10/06/2021, CâmarasCíveis / 19ª CâmaraCível, Publicação: 14/06/2021 (JURIS 22)	The union opposes the resumption of in-person activities in the Public Education Network of the State of Minas Gerais.	Control of administrative acts by the Judiciary.	Presumption of legitimacy and veracity of the administrative act. Denial of security.

Considerations about (Re) Meaningful Social Representations about Quality of Life of Government Employees in Telework in Brazil

TJ-PR - AI: 00318038220208160000 PR 0031803-82.2020.8.16.0000 (Acórdão), Rel. Des. Rogério Kanayama, Julgamento: 10/12/2020, 2ª Câmara Cível (JURIS 23)	The Union requires the granting of injunctive relief so that the servers belonging to the risk group and the servers that live with people from the risk group are removed.	Control of administrative acts by the Judiciary.	The Judiciary shall not review the criteria adopted by the Administration, except when they are vitiated by defects in legality.
TJ-SP - AI: 21284750820218260000 SP 2128475-08.2021.8.26.0000, Rel. Teresa Ramos Marques, Julgamento: 16/07/2021, 10ª Câmara de Direito Público (JURIS 24)	MS. Education servant without comorbidity - Teacher - Telework regime - Injunction. Health strike.	Control of administrative acts by the Judiciary	Administrative discretion of the federal entities in fighting the pandemic. Interlocutory appeal granted.
TRF-5 - AI: 08147534920204050000, Rel. Des. Alexandre Luna Freire, Julgamento: 04/02/2021, 1ª Turma (JURIS 25)	Interlocutory appeal. Public servant. Intention to maintain the perception of transportation allowance	Suspension of Benefits/Gratification	Legitimate suspension of the instalment. Change in work condition that gave him the right to the aid.
(TJ-SP - MS: 21230260620208260000 SP 2123026-06.2020.8.26.0000, Rel. Evaristo dos Santos, Julgamento: 12/08/2020, Órgão Especial (JURIS 26)	A civil servant with comorbidities intends to be immediately assigned to a telecommuting regime.	Risk Group	Lack of passive legitimacy. Judgment without resolution of merit.
TJ-MS - AGT: 08108021620208120001, Rel. Des. Marcos José de Brito Rodrigues, Julgamento: 17/12/2020, 1ª Câmara Cível (JURIS 27)	Elderly female employee with comorbidity requesting telework.	Risk Group	Possibility of remote work in a pandemic period.
TJ-SP - AI: 21510337120218260000 SP 2151033-71.2021.8.26.0000, Rel. Rubens Rihl, Data de Julgamento: 16/07/2021, 1ª Câmara de Direito Público (JURIS 28)	Teacher without comorbidity requires telework permanence.	Control of administrative acts by the Judiciary.	No demonstration that the return to face-to-face activities is in dissonance with the SP Plan.

Source: Based on research at the Jus Brasil platform.

5. DATA ANALYSIS

For the analysis of the representation attributed to the theme by state and federal civil servants about telework in the pandemic period of COVID-19, we chose to use case law found in the Jus Brasil platform. After the time delimitation (March 2020 to November 2021), the definition of keywords (Quality of Life, Telework, Public Administration, Public Servant) the choice of Courts (TJs, TRFs, STJ and STF) and the discarding of cases that were not directly related to the theme, a corpus of 28 jurisprudences was reached, being 1 from the STJ, 4 from the TRFs and 23 from TJs from all regions of Brazil, with no case law from the STF appearing in the researched platform, only references in the decisions of the other courts.

It is observed, at first, that in all the jurisprudence analysed are present references to the permanence or adherence to telework. With this finding, it is considered that the search for the judiciary involves representations associated with the possibility that telework is associated with benefits to the public servant, while the data show demand for the modality when associated with QLW.

Pereira et al. (2021) collaborate with this understanding, when they demonstrate, in a survey conducted in the Court of Amapá, that telework is a tool that accompanies the transformations of labour relations subsidized by digital technologies and offers alternatives for improving the QLW of the employees involved. They emphasize, however, that managers must define the best strategies for implementing the policy, from the correct reading of the environmental contingencies.

Also, Lima (2018), when analysing the experiences of Santa Catarina and Amazonas, found that the gain in QLW for servers in telecommuting, would be linked to the better adaptation of schedules to their individual characteristics, being able to choose the best periods to work, observing even factors of biological nature.

The QWL in telecommuting has been positively evaluated in the public sector (Pereira et al., 2021; Lima, 2018), which possibly influences social representations that confer the search for the modality, considering data from case law, according to Table 1. Although the present research does not enable the indication of the facilitators of this scenario, some aspects are recurrent in studies on the theme, such as the social relevance that servants perceive at work, the integration and socializing made possible by their activities, and the possibility of harmonizing the work routine with their extra-work life. (Amâncio, Mendes & Martins, 2021)

From reading the data, it can be seen that to justify their demands for permanence or adherence to telework, the requesting parties point, as a rule, to some category of comorbidity, personal or in family members, or the risk of contamination by the coronavirus with the return to face-to-face work. It is also observed that the discussion is still focused on issues involving working conditions, leading to a discussion about the maturity of legal security and its impact on complaints related to telework.

If currently the QLW is associated with the guarantee of permanence/adherence to teleworking and the maintenance of benefits, given the 'positive' representations about the working modality, with greater legal certainty other issues may emerge, such as those involving the elements of the work context, from the conditions, the organization and the social and professional relationships at work.

Besides the representation associated with QLW, another hypothesis would be the one advocated by Costa (2013). This author understands that for those who fit the self-entrepreneur profile, the indispensable factor is not telecommuting, but the flexibility to work, especially regarding time and technological infrastructure.

Among the themes that appear in the analysed jurisprudences, presented in Chart 1, there is a predominance of three: risk group/ comorbidities; suspension of benefits/ gratuities; control of administrative acts by the Judiciary, related to health issues and return to presenting activities.

Despite some jurisprudence disagreements, considering the research data, it is observed a majority understanding pointing to the permanence of the servants of the risk group in telework. It is worth mentioning, however, the case of Juris 15, which reformed the sentence of the first-degree judge, maintaining the administrative decision that determined the return of a doctor to face-to-face work, considering that the Public Authority would guarantee adequate sanitary conditions and would remove him from the front line of care. It also emphasizes the risk inherent in the exercise of medical activities, reinforcing the need to be aware of each case, especially when it concerns health professionals.

Thus, the representations also suggest specific considerations of the professions and nature of the activities to be performed by telecommuting, which point to analyses focused on the institutional mission, given the gains and losses possibly associated with telecommuting for the quality of services offered to society.

The decisions analysed point out that the Judiciary has chosen not to intervene to alter public policy measures planned and executed by the Administration, in obedience to the principle of separation of powers. Thus, actions brought by unions against acts that signal the return of public employees to on-site work have generally been denied, unless they are vitiated by illegality.

Another concern that appears in the corpus of the research concerns the continued payment of bonuses during the period in which the servants are in remote work. On this issue, Juris 25 states that it is not up to the Judiciary to review the criteria adopted by the Public Administration,

maintaining the suspension of the bonus while the conditions for which they were created do not exist, as in the case of the transportation allowance, which requires the commuting of the employee from home to work and from work to home. In Juris 12, the rapporteur opted to grant the injunction, maintaining the payment of the benefits/gratifications and accepting the thesis that the condition that ensured the receipt of the amounts was removed due to force majeure.

6. FINAL CONSIDERATIONS

From the perspective of understanding the perception of state and federal civil servants in relation to the challenges and opportunities of telework that presented them during the pandemic period, data analysis suggests gain in QWL, since the jurisprudences analysed relate to demands of permanence or adherence to telework.

It should be noted, however, that the discussions of the corpus of research involve only issues related to working conditions, leading to the hypothesis that civil servants may be minimizing unpleasant situations involving the Organization and the work modality, intending to first obtaining the permanence of telework and maintenance of benefits. In other words, the lack of maturity of legal security has a direct impact on the complaints related to telework. With greater legal certainty, other issues may emerge in this movement for the achievement of QLW.

With the research, one can perceive the relevance of Social Representations in this context of profound changes that public servants have experienced in their work routine, as it helps to 'conventionalize' such events and objects.

However, this investigation does not authorize the construction of a conclusive explanatory framework, and there are limitations to the research, regarding the collection of secondary data related to the demands, which may be the object of future research that aims to understand the relationship between telecommuting and the increase in QOL.

In this sense, Amâncio, Mendes and Martins (2021) call attention to what Klein et al. (2019) discussed the need for constant and adequate evaluation of the QLW program, which can effectively act as a propellant of corrective actions and promote continuous improvements in the work context.

Another situation to be considered for future research is that teleworkers coming from the pandemic do not necessarily have the ideal characteristics of the teleworker, indicated by Costa (2013) as: security, independence, reliability, self-motivation, ability to manage their time. The adhesion to the new modality of work occurred because of the measures of social isolation and containment of contamination by the virus. There was no time for the planning that changes impose in the face of the new family situation, isolation from the Organization's environment and loss of external signs of status (Costa, 2013). All this, may have damaged the self-esteem of teleworkers who were presented as individuals with special characteristics and differentiated skills, an elite that was undoubtedly stimulated to have understanding of them (Costa, 2013).

Finally, it is highlighted the contribution of the study by advancing in a little explored field of QLW and explore the viewpoint of civil servants about their work context, especially in this period of significant changes.

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