

Campos, André Gambier

Working Paper

Unions in Brazil: What to expect in the near future?

Discussion Paper, No. 219

Provided in Cooperation with:

Institute of Applied Economic Research (ipea), Brasília

Suggested Citation: Campos, André Gambier (2016) : Unions in Brazil: What to expect in the near future?, Discussion Paper, No. 219, Institute for Applied Economic Research (ipea), Brasília

This Version is available at:

<https://hdl.handle.net/10419/220307>

Standard-Nutzungsbedingungen:

Die Dokumente auf EconStor dürfen zu eigenen wissenschaftlichen Zwecken und zum Privatgebrauch gespeichert und kopiert werden.

Sie dürfen die Dokumente nicht für öffentliche oder kommerzielle Zwecke vervielfältigen, öffentlich ausstellen, öffentlich zugänglich machen, vertreiben oder anderweitig nutzen.

Sofern die Verfasser die Dokumente unter Open-Content-Lizenzen (insbesondere CC-Lizenzen) zur Verfügung gestellt haben sollten, gelten abweichend von diesen Nutzungsbedingungen die in der dort genannten Lizenz gewährten Nutzungsrechte.

Terms of use:

Documents in EconStor may be saved and copied for your personal and scholarly purposes.

You are not to copy documents for public or commercial purposes, to exhibit the documents publicly, to make them publicly available on the internet, or to distribute or otherwise use the documents in public.

If the documents have been made available under an Open Content Licence (especially Creative Commons Licences), you may exercise further usage rights as specified in the indicated licence.

UNIONS IN BRAZIL: WHAT TO EXPECT IN THE NEAR FUTURE?

André Gambier Campos

UNIONS IN BRAZIL: WHAT TO EXPECT IN THE NEAR FUTURE?

André Gambier Campos^{1,2}

1. Researcher of the Institute for Applied Economic Research (Ipea). E-mail: andre.campos@ipea.gov.br.

2. The author thanks to Admilson Moreira dos Santos (MTE/SIT), Bruno Silva Dalcomo (PR/CCiv), Carlos Henrique Corseuil (Ipea/Disoc), Leonardo Alves Rangel (PR/CCiv) and Milton José Zamboni (Unifei/Itabira).

Federal Government of Brazil

Ministry of Planning, Development and Management

Minister, Interim Dyogo Henrique de Oliveira

ipea

**Institute for Applied
Economic Research**

A public foundation affiliated to the Ministry of Planning, Development and Management, Ipea provides technical and institutional support to government actions – enabling the formulation of numerous public policies and programs for Brazilian development – and makes research and studies conducted by its staff available to society.

President

Ernesto Lozardo

Director of Institutional Development, Deputy

Carlos Roberto Paiva da Silva

Director of Studies and Policies of the State, Institutions and Democracy

João Alberto De Negri

Director of Macroeconomic Studies and Policies

Claudio Hamilton Matos dos Santos

Director of Regional, Urban and Environmental Studies and Policies

Alexandre Xavier Ywata de Carvalho

Director of Sectoral Studies and Policies, Innovation, Regulation and Infrastructure

Fernanda De Negri

Director of Social Studies and Policies

Lenita Maria Turchi

Director of International Studies, Political and Economic Relations

Sérgio Augusto de Abreu e Lima Florêncio Sobrinho

Chief of Staff

Márcio Simão

Chief Press and Communications Officer

Regina Alvarez

URL: <http://www.ipea.gov.br>

Ombudsman: <http://www.ipea.gov.br/ouvidoria>

DISCUSSION PAPER

A publication to disseminate the findings of research directly or indirectly conducted by the Institute for Applied Economic Research (Ipea). Due to their relevance, they provide information to specialists and encourage contributions.

© Institute for Applied Economic Research – **ipea** 2016

Discussion paper / Institute for Applied Economic
Research.- Brasília : Rio de Janeiro : Ipea, 1990-

ISSN 1415-4765

1. Brazil. 2. Economic Aspects. 3. Social Aspects.
I. Institute for Applied Economic Research.

CDD 330.908

The opinions expressed in this publication are of exclusive responsibility of the authors, not necessarily expressing the official views of the Institute for Applied Economic Research and the Ministry of Planning, Development and Management.

Reproduction of this text and the data contained within is allowed as long as the source is cited. Reproduction for commercial purposes is prohibited.

JEL: J50; J51; J59

CONTENTS

ABSTRACT

RESUMO

INTRODUCTION7

1 UNIONS' PROFILE9

2 WORKERS' AFFILIATION11

3 UNIONS' PROBLEMS15

4 FINAL REMARKS17

REFERENCES.....19

APPENDIX23

ABSTRACT

Nowadays, there is a growing debate about the role of collective bargaining in Brazilian labour regulation. Nonetheless, is it possible to discuss such a role without debating the collective actors engaged in that bargaining? The answer is probably no, at least with respect to labour actors (unions), which face several problems. There are thousands of unions in Brazil, spread by every economic sector, professional branch and region of the country. At a first glance, this would seem very promising in order to foster a negotiated labour regulation. However, on average, those unions present a fragile constituency, with few workers in their social base, as well as a small affiliation among them. As a result of this frail constituency, unions gather little resources to negotiate new forms of labour regulation. To overcome those problems, some structural (and historical) changes seem necessary, in order to get more representative and effective unions in Brazil.

Keywords: labour regulation; collective bargaining; unions.

RESUMO

Hoje em dia, há um debate crescente sobre o papel da negociação coletiva na regulação do trabalho no Brasil. No entanto, é possível discutir uma regulação deste tipo, sem debater os atores coletivos responsáveis por isso? A resposta é provavelmente negativa, ao menos no que diz respeito aos atores de trabalho (sindicatos), que enfrentam vários dilemas. Há milhares de sindicatos no Brasil, distribuídos por todos os setores econômicos, categorias profissionais e regiões do país. À primeira vista, isso pareceria muito promissor para a promoção de qualquer regulação negociada do trabalho. No entanto, como regra, esses sindicatos apresentam uma constituição frágil, com poucos trabalhadores em sua base, bem como uma pequena filiação entre eles. Como resultado desta constituição frágil, esses sindicatos reúnem poucos recursos para negociar coletivamente novas formas de regulação do trabalho. Para superar esses problemas, algumas mudanças estruturais (e históricas) parecem necessárias, a fim de obter sindicatos mais representativos e efetivos no Brasil.

Palavras-chave: regulação do trabalho; negociação coletiva; sindicatos.

INTRODUCTION

There is a vast literature about origin and development of the union structure in Brazil, with 'old' and 'new' authors describing a long sequence of events since the beginning of the 1930's. Those authors assert that this structure was a crucial part of a specific kind of State, which used to deal with economic, social and political conflict in a corporative and authoritarian way.¹

At a large extent, this union structure was able to outlive the demise of this kind of State in its 'pure' form, remaining almost untouched in its basic features over decades. Depending of the context, sometimes this structure allowed the conflict to be publicly recognized and properly negotiated by actors in economic, social and political arenas. Other times, it only favored a brutal repression of the conflict by the State, often with disastrous results for a major part of those actors.²

Anyway, in the end of the 1970's, promoting impressive demonstrations in the public realm, several actors challenged not only this union structure, but the whole State behind it. Despite the diversity of roots, procedures and goals, those actors had one common ground: their refusal to the corporative and authoritarian way of dealing with economic, social and political conflict.³

Those actors were successful in transforming numerous aspects of the Brazilian State, as can be clearly seen in the Federal Constitution of 1988. Nonetheless, curiously, the union structure remained with key aspects untouched, as the exclusivity of organization in a local territory, the limited mandate for collective bargaining, as well as the compulsory funding.⁴

1. Among the 'old' authors of this literature, it is possible to mention Abramo (1986); Maroni (1982); Martins (1989); Paoli (1985); Rodrigues (1979); Sader (1988); Simão (1966); Telles (1985) e Vianna (1976). Moreover, amidst the 'new' authors, it is possible to name Boito Jr. and Marcelino (2010); Cardoso (1999, 2003, 2010); Druck (2006); Junckes (2010); Ladosky (2009); Ramalho (2014); Rodrigues (2015) and Rodrigues (1999).

2. About this, see Martins (1989) and Paoli (1985).

3. In this way, Abramo (1986); Maroni (1982); Sader (1988) and Telles (1985).

4. See Campos (2015) and Gonzalez, Galiza, Amorim, Vaz and Parreiras (2009).

Anyway, after harsh times in the 1990's, due to several imbalances in the labour market, part of the literature pointed that this structure worked pretty well in the 2000's, when those imbalances were mitigated. Unions in the latter period were able to promote a growing number of strikes and to reach important agreements in the collective bargaining, what resulted in a relevant improvement in workers' well-being.⁵

The question that is posed for the near future is: will this union structure be able to continue to improve this well-being, in a scenario of many problems in the labour market? After 2014, different indicators began to set forth a deteriorated dynamics in the latter, including a decrease in occupational growth, an increase in informality, a diminution in wages, a surge in unemployment etc.⁶

Furthermore, there is a growing debate about the role of collective bargaining in Brazilian labour regulation. This regulation has been markedly 'legislative' since the 1930's.⁷ Nevertheless, in the current debate, there are ideas for promoting a more 'contractual' regulation, in which unions would play a crucial role.

Considering all attributes inherited by the union structure (attributes that remained even after the Constitution of 1988), there is a question: are unions fit to play this role, allowing the uprise of a more 'contractual' labour regulation, able to protect workers' well-being in the near, medium and long future?

The data presented in the sequence of this article don't bring any answer, but allow us to broaden this question and, at the same time, refine it. According to the figure drawn with data, nowadays in Brazil, there are thousands of unions, many of them with poor conditions to foster new forms of labour regulation.

Probably, in order to fix this kind of problem, some structural (and historical) changes in the union structure seem necessary and urgent, with the end of getting more representative, vigorous and effective unions in Brazil. In the last section of this article, different possibilities of structural changes will be discussed in further detail.

5. As an example, see Cardoso (2013) and Dieese (2012).

6. In this regard, see Ipea (2016).

7. See Noronha (1998).

Lastly, some brief words about databases used here, as source of information about unions. First, the CNES-2015/MTE,⁸ which offers primary data about the number and the profile of unions in Brazil. Second, the CACS-2015/MTE,⁹ which brings primary data about union's main source of funding: the so-called 'contribuição sindical' (a compulsory contribution, paid by every worker, affiliated or not). Third, the PNAD-2014/IBGE,¹⁰ which presents primary data about worker's affiliation to unions in Brazil. Fourth, a variety of databases coming from AIAS/ICTWSS,¹¹ OECD¹² and ILO,¹³ with secondary data about worker's affiliation in several different countries. It is important to stress that the first two databases (CNES-2015/MTE and CACS-2015/MTE) are essentially new and unreleased until now.

1 UNIONS' PROFILE

Nowadays, there are 16.491 organizations for representation of economic and professional interests in Brazil, recognized by authorities of Ministry of Labour (MTE). Following the hierarchical levels of the official structure, from bottom to up, there are 15.892 unions, 549 federations, 43 confederations and 7 central unions,¹⁴ summing 16.491 organizations representing both employers (5.251) and workers (11.240).

But the focus of this article is on specific types of entities: the unions representing workers. Why? Initially, because it is well-known that the mandate for collective bargaining in Brazil is concentrated (almost exclusively) in unions' hands,¹⁵ Besides, it is notorious that, contrary to workers' condition, employers are collective actors by

8. CNES stands for 'Cadastro Nacional de Entidades Sindicais'. This database is provided by the Ministry of Labour (MTE).

9. CACS stands for 'Cadastro de Arrecadação de Contribuição Sindical'. This database is provided by the MTE.

10. PNAD stands for 'Pesquisa Nacional por Amostra de Domicílios'. This database is provided by the Brazilian Bureau of Statistics (IBGE).

11. AIAS/ICTWSS database is called 'Database on Institutional Characteristics of Trade Unions, Wage Setting, State Intervention and Social Pacts' (2015 version). It can be found at: <<http://www.uva-aias.net/208>>.

12. OECD database is called 'Union Members and Employees' (2015 version). It can be found at: <<https://goo.gl/5gJbYm>>.

13. ILO database is called 'Trade Union Membership Statistics' (2014 version). It can be found at: <<https://goo.gl/P8pxhZ>>.

14. The central unions are: 'Central Única dos Trabalhadores' (CUT), 'Força Sindical' (FS), 'União Geral dos Trabalhadores' (UGT), 'Central dos Trabalhadores e Trabalhadoras do Brasil' (CTB), 'Nova Central Sindical de Trabalhadores' (NCST), 'Central Geral dos Trabalhadores do Brasil' (CGTB) and 'Central dos Sindicatos Brasileiros' (CSB).

15. In this way, see Barros (2006) and Delgado (2006).

themselves, not necessarily demanding unions to represent their interests.¹⁶ That's why the focus of analysis is only on workers' (or labour) unions.

Currently, there are 10.817 labour unions, what correspond to 65,6% of the total number of organizations for representation of economic and professional interests. According to table 1, most of those specific entities represent workers of urban areas (73,8% of them).¹⁷ They are primarily concentrated in Southeast region (33,1%), Northeast (27,0%) and South (23,8%). Those entities represent mainly employees (43,4% dedicated to private ones and other 17,4% dedicated to public ones).¹⁸ And, in terms of geographic circumscription, they have typically a local constituency, restricted to a county (50,1%) or a small number of counties (30,3%). By the way, this is a key aspect for the debate in the final section of this article.

TABLE 1
Union's profile

Area		
	Nº	%
Rural	2.831	26,2
Urban	7.986	73,8
Total	10.817	100,0
Region		
	Nº	%
N	729	6,7
NE	2.924	27,0
SE	3.578	33,1
S	2.572	23,8
CO	1.013	9,4
NA	1	0,0
Total	10.817	100,0
Type		
	Nº	%
Employees	4.692	43,4
Rural	2.831	26,2
Public employees	1.882	17,4
Differentiated category ¹	498	4,6
Other	914	8,5
Total	10.817	100,0

(Continues)

16. In this way, see Barros (2006) and Delgado (2006).

17. Despite the growing relevance of unions dedicated to rural workers, as seen in Rodrigues (2015).

18. In spite the mounting importance of unions dedicated to rural workers, as seen in Rodrigues (2015).

(Continued)

	Coverage	
	Nº	%
Local (county)	5.414	50,1
Inter-counties	3.279	30,3
Regional (state)	2.002	18,5
Inter-states	85	0,8
National	37	0,3
Total	10.817	100,0

Note 1: Differentiated category – most times, workers in legally regulated professions (lawyers, physicians, engineers etc.).
Source: Microdata from CNES/MTE, 2015.

2 WORKERS' AFFILIATION

Differently from other countries, in Brazil, labour unions represent all the workers who are under their territorial circumscription, not only those who are affiliated. Consequently, at least in principle, the 10,8 thousand labour unions described above are entitled to act for approximately 107,2 million workers.

Nonetheless, part of the literature has already showed that, even in Brazil, in several different circumstances, affiliation matters a lot, being a kind of indicator of 'closeness' between workers and unions. Often, the mere fact of being associated influences not only the organization, but also the mobilization of both (in strikes and collective bargaining, for example).¹⁹

In this way, table 2 shows that the affiliation ratio of workers, considered as a whole, is limited to 16,2% nowadays (ratio that corresponds to 17,3 million workers). Is this ratio high or low, comparing to other countries?²⁰ Restricting to employees (and leaving other kind of workers aside), in order to favor a better comparison, graph 1 shows that Brazil ranks in the 12th position, amidst 22 selected countries – some of them with rather similar characteristics, regarding labour institutions' attributes. In other words, only a median rank.

19. About this, see Campos (2013) and Cardoso (1999, 2003). The Appendix 1 of this article reviews some aspects of the discussion promoted by these authors, about the relevance of the unionization rate.

20. Any exercise of international comparison is always limited and insufficient, due to a number of problems (as the comparability of countries with different trajectories, regarding the formation and the performance of labour institutions). About this, see Ragin & Zaret (1983).

Anyhow, what about the profile of worker's affiliation in Brazil? As seen in table 3, the affiliation ratio is higher among rural workers (22,7%), than amidst urban ones (15,0%). Furthermore, this ratio is a bit superior among workers of the Northeast region (19,1%), probably as a consequence of the association amidst rural workers. And, considering only urban workers, it is possible to see that the affiliation ratio is higher among public employees (impressive 36,8%) and registered private employees (20,3%). Other urban workers present a lower association, as the self-employed (11,8%) and the non-registered private employees (6,2%).

An interesting exercise with PNAD-2014/IBGE microdata is to construct a model, using a binomial logarithmic regression, to measure the odds of being affiliated to a labour union, according to many different workers' attributes (and of their occupations or jobs). A summary of the results of this exercise is in the graphs just below.²¹ In graphs 2 and 3, is possible to notice that:

1. Among rural workers, being older, living in the Northeast region, having a longer period of time in the same occupation and being a small producer (a self-employed) are attributes positively related to union association – as well as being a female worker is a characteristic negatively related;
2. Amidst urban workers, being a public employee or a registered private one, having a higher income and having a longer period of time in the same job are attributes positively related to union association – as well as working in domestic services, in construction or in commerce are characteristics negatively related.

In a large extent, those results confirm what may be found in the literature about the profile of workers who affiliate to unions in Brazil, as in Cardoso, Comin and Campos (1997) and Cardoso (1999, 2003).

TABLE 2
Worker's affiliation

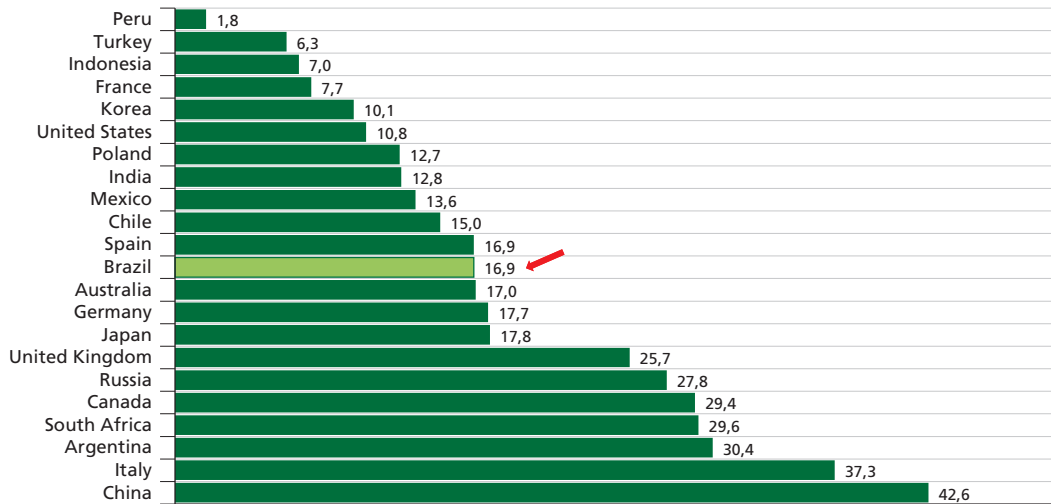
	Affiliation	
	Nº (thousands)	%
Yes	17.337	16,2
No	89.832	83,8
Total	107.169	100,0

Source: Microdata from PNAD/IBGE, 2014.

21. Further details of this exercise can be found in Appendix 2 of this article.

GRAPH 1

Affiliation ratio (employees only), in different countries



Source: Data from AIAS/ICTWSS, OECD and ILO. Years of reference: from 2012 to 2014.

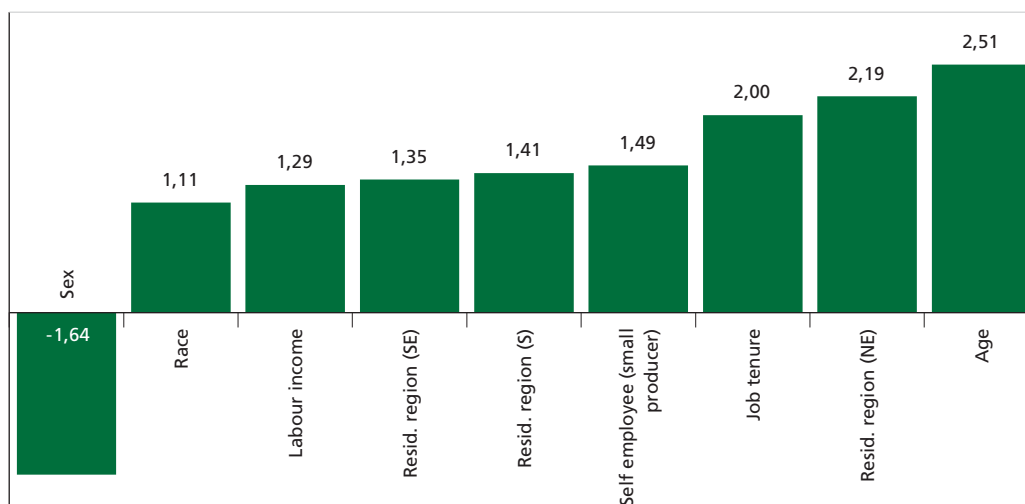
TABLE 3

Profile of worker's affiliation

Affiliation ratio, according to residence area	
	%
Urban	15,0
Rural	22,7
Total	16,2
Affiliation ratio, according to residence region	
	%
NE	19,1
S	17,7
SE	15,0
CO	14,1
N	12,1
Total	16,2
Affiliation ratio, according to type of urban employment	
	%
Public employees	36,8
Registered employees (private sector)	20,3
Self employed	11,8
Non-registered employees (private sector)	6,2
Other workers	10,3
Total	16,2

Source: Microdata from PNAD/IBGE, 2014.

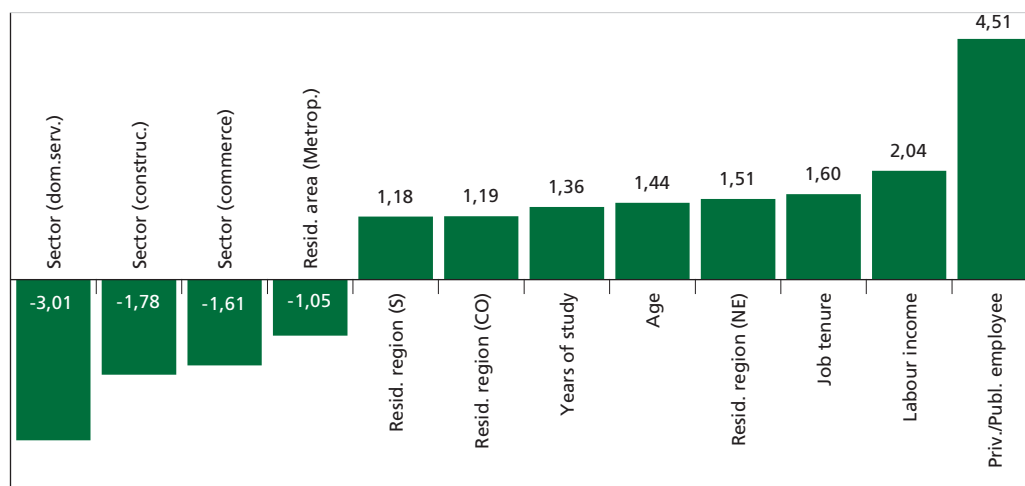
GRAPH 2
Affiliation profile in rural areas (rural workers' attributes)



Notes: Notes: Method = one-stage selection, non-hierarchical. Log likelihood = -12.901,581. LR $\chi^2(11) = 2.446,692$. Prob > $\chi^2 = 0,000$. Pseudo R² = 0,087. In this graph, when the odds ratio is below 1, is performed the inverse and the opposite interpretation (dividing 1 by the odds ratio and multiplying the quotient by (-1) = ((1/odds ratio) * (-1))). Only statistically significant odds ratio are showed.

Source: Microdata from PNAD/IBGE, 2014.

GRAPH 3
Affiliation profile in urban areas (urban workers' attributes)



Notes: Notes: Method = one-stage selection, non-hierarchical. Log likelihood = -51.155,818. LR $\chi^2(18) = 16.588,603$. Prob > $\chi^2 = 0,000$. Pseudo R² = 0,140. In this graph, when the odds ratio is below 1, is performed the inverse and the opposite interpretation (dividing 1 by the odds ratio and multiplying the quotient by (-1) = ((1/odds ratio) * (-1))). Only statistically significant odds ratio are showed.

Source: Microdata from PNAD/IBGE, 2014.

3 UNIONS' PROBLEMS

As seen above, there are 10.817 labour unions officially registered nowadays, representing workers of different occupations, of different economic sectors, in different areas (or regions) of Brazil. At first sight, this astonishing number seems rather appealing from workers' point of view. After all, there are thousands of unions representing and defending them, what appears interesting for promoting their well-being.

Nevertheless, those unions face problems in their organization and, likely, in their action. Some of these problems have already been pointed out, as the limited geographic circumscription of the unions. Not less than 80,4% of them have a constituency restricted to a county or a small number of counties. Therefore, the majority of unions have a local and restricted social base, what is an evidence of their possible limits in representing and defending workers.

Other evidence is the low (or, at best, median) density of labour unions, considered as whole. As mentioned before, the affiliation ratio is currently limited to 16,2% (or 17,3 million unionized, among a total of 107,2 million workers in Brazil). But this percentage is only an average, with several unions a lot under this level, what probably leads to various problems in workers' representation and promotion, once again.

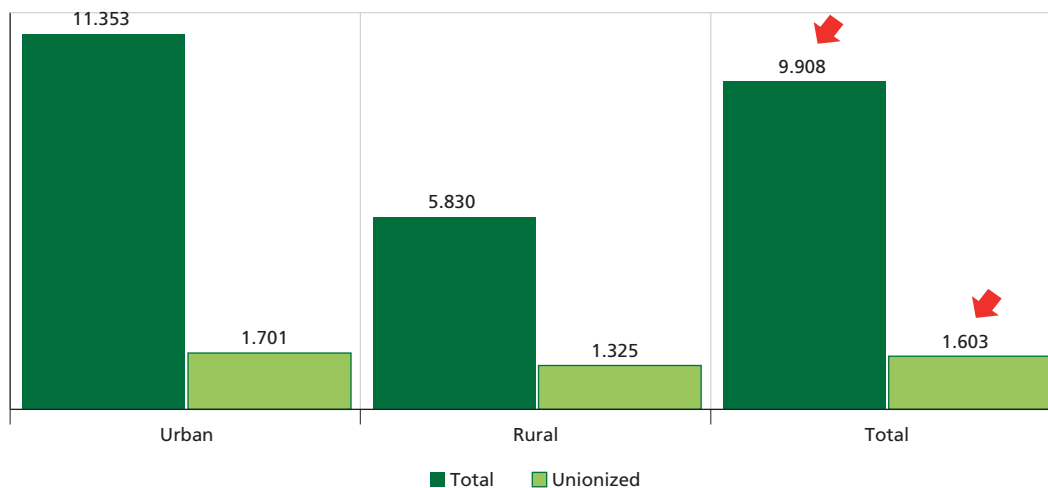
In this same way, the comparison between the number of workers in unions' social base and the number of those who are effectively unionized is rather striking. As showed in graph 4, the second number is 6,7 times lower than the first in urban areas, as well as 4,4 times lower in rural areas. Moreover, as displayed in graph 5, the second number is 5,2 times lower than the first in the Northeast region, even as 8,3 times lower in the North region.

On average, in all areas or regions of Brazil, a labour union has typically 1,6 thousand associated workers only (and this is 6,2 times less than the amount of workers in its social base). Even considering that such union represents (and acts in the name of) all workers in its social base (not only those who are affiliated), there are obvious concerns about the effective representation (and action) that can be provided.

This is reinforced by graph 6, which exhibits the amount of funding gathered by unions on average, through the collection of the compulsory contribution. As it is possible to notice, the curve of the cumulative distribution begins to move up solely in the

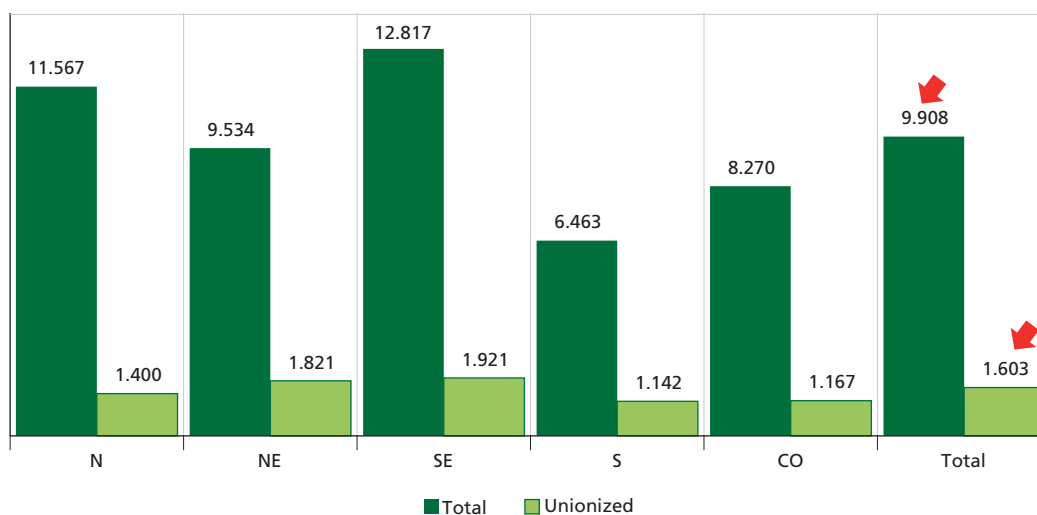
end of the graph (in the right area, circled by a red line). So, there is a vast majority of labour unions that gather few resources to fund their organization and their activity. At some extent, this is another evidence of their possible limits in effectively representing and defending workers.

GRAPH 4

Workers per union (on average) in urban and rural areas

Source: microdata from cnes/mte, 2015 and pnad/ibge, 2014.

GRAPH 5

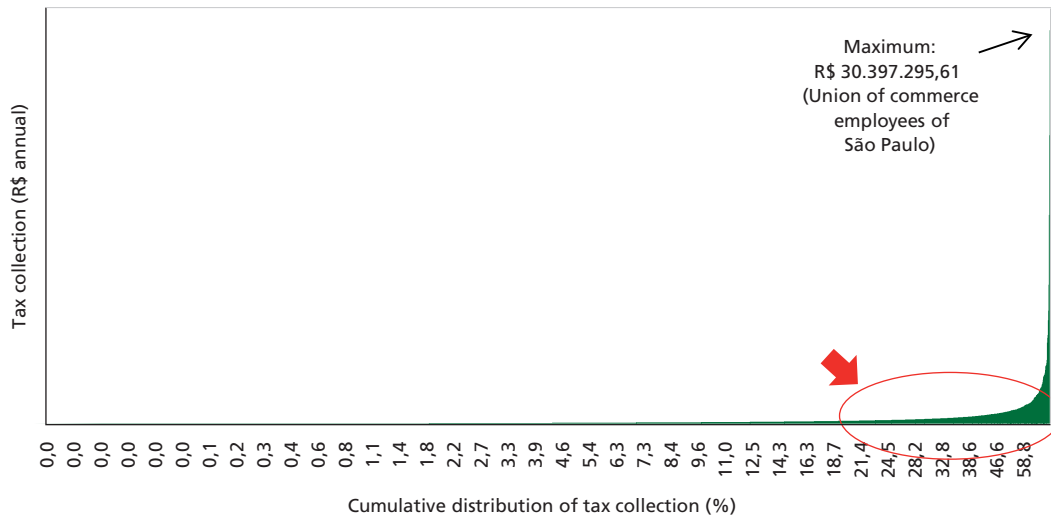
Workers per union (on average) in different regions

Source: Microdata from CNES/MTE, 2015 and PNAD/IBGE, 2014.

GRAPH 6

Distribution of tax collection (compulsory contribution) per union in 2015

(Em R\$ annual)



Source: Microdata from CNES/MTE, 2015 and CACS/MTE, 2015.

4 FINAL REMARKS

It is worth remembering that, with a variety of empirical evidences, part of the literature showed that, in the decade of 2000, labour unions were able to promote an important number of strikes and to reach relevant agreements in the collective bargaining.²²

But, in face of the evidences of this article, it is imperative to ask whether this literature isn't focusing too much in just a part of the labour unions in Brazil. Probably, that part well organized and fiercely mobilized (and with plenty of financial resources to do so). Also, that part with lots of workers in their social base and, at the same time, with lots of affiliated workers.

Far from presenting this profile, the average labour union studied in this article appears to have few workers in its social base and, besides, even fewer unionized workers among them. This average union seems to have a constituency restricted to a county or a few counties, as well as to organize and to mobilize itself with little and (likely) insufficient resources.

22. See Cardoso (2013) and Dieese (2012).

To sum up, despite their incredible number, labour unions face problems in their organization and, likely, in their action nowadays. And, as part of the literature has stated before, to solve those problems, it is important to transform the structure as a whole, altering some of its historic fundamentals, in order to get more representative and effective unions.²³

Amidst those fundamentals, it is relevant to modify the compulsory funding of unions, as well as the exclusivity of organization in a local territory. According to many different authors, the combination of both mechanisms is one of the drivers behind the number of unions in Brazil.²⁴ By the way, a number that continues to grow, year after year, due to disputes involving the financial resources of compulsory contribution.

Other aspect that can be modified is the mandate for collective bargaining, which is currently a monopoly of unions, with all the problems that frequently conduct to small and fragile collective agreements. In fact, it doesn't make any sense to prevent other aggregated entities (like union centrals) from negotiating broader and stronger collective agreements.²⁵

An additional aspect that can be modified is the range of possibilities for collective organization and mobilization inside companies (through union delegates, workers' committees and others ways), what is historically a polemic subject in Brazil. In spite of being polemic, it is a crucial theme for discussion, in order to allow the negotiation of larger and stouter collective agreements too.²⁶

All these aspects shall be debated taking into account the role of collective bargaining in Brazilian labour regulation. If this regulation will to turn from a 'legislative' to a 'contractual' one, unions will play several key roles. Thereby, more representative and effective unions are a real necessity, from every point of view (government's, employers' and, of course, workers' point of view).

23. About the reform of unions' structure, promoted in the 1990's and (especially) in the 2000's, see Almeida (2007); Druck (2006); Krein, Santos and Nunes (2012); Ladosky (2009); Rodrigues, Ramalho and Conceição (2008).

24. About this, see Boito Jr. (1991); Comin (1994); Filgueiras (2008); Ladosky (2009).

25. See Comin (1994) and Cardoso (1999).

26. In this way, see Cardoso (1999); Cardoso and Lage (2007).

A possible (and nonexclusive) way to promote transformations in union structure is the ratification and/or the regulation of International Labour Organization (ILO) conventions. Just as an example, it is possible to discuss the adoption of convention nº 87, which regulates workers' freedom of association and of collective organization.²⁷

It is relevant to stress that this convention shouldn't be debated alone, by itself, because workers' freedom of association and organization is only possible when an extensive variety of rights and guarantees are secured. Some of these workers' rights and guarantees are set out in other ILO documents, as the Conventions nº 98, 135, 141 and 151, for example.²⁸

Once again, if the discussion about 'legislative' and 'contractual' labour regulation is going to produce any results will depend of the existence of representative and effective unions in Brazil. That's why the implementation of these rights and guarantees is truly important, in order to allow real freedom of association and organization for workers.

REFERENCES

- ABRAMO, L. **O Resgate da dignidade: a greve de 1978 em São Bernardo**. 1986. Mestrado (Dissertação) – Universidade de São Paulo, São Paulo, 1986.
- ALMEIDA, G. R. O Governo Lula, o fórum nacional do trabalho e a reforma sindical. **Revista Katálysis**, v. 10, n. 1, p. 54-64, 2007.
- BARROS, A. M. **Curso de direito do trabalho**. São Paulo: Ltr Editora, 2006.
- BOITO JÚNIOR, A. *et al.* **O Sindicalismo brasileiro nos anos 80**. São Paulo: Paz e Terra, 1991.
- BOITO JÚNIOR, A.; MARCELINO, P. R. P. O Sindicalismo deixou a crise para trás? Um novo ciclo de greves na década de 2000. **Caderno Crh**, v. 23, n. 59, p. 323-338, 2010.
- CACCIAMALI, M. C. **Política social e reforma laboral no Brasil: os desafios dos sindicatos sob o governo Lula**. 2004. Disponível em: <<https://goo.gl/VpTkyM>>.
- CAMPOS, A. G. Dilemas do trabalho: sindicatos no Brasil Hoje. *In*: KREIN, D. J. *et al.* (Orgs.). **Regulação do trabalho e instituições públicas**. São Paulo: Fundação Perseu Abramo, 2013.

27. See ILO (1948).

28. See ILO (1949, 1971, 1975, 1978).

_____. **Breve histórico das mudanças na regulação do trabalho no Brasil.** Brasília: Ipea, 2015. (Texto para Discussão, n. 2024).

_____. **Sindicatos, trabalhadores e a coqueluche neoliberal: a Era Vargas acabou.** Rio de Janeiro: FGV, 1999.

_____. **A década neoliberal e a crise dos sindicatos no Brasil.** São Paulo: Boitempo Editorial, 2003.

_____. **A construção da sociedade do trabalho no Brasil: uma investigação sobre a persistência secular das desigualdades.** Rio de Janeiro: FGV, 2010.

_____. Para onde foram os sindicatos. In: KREIN, D. J. *et al.* (Orgs.). **Regulação do trabalho e instituições públicas.** São Paulo: Fundação Perseu Abramo, 2013.

CARDOSO, A. M.; COMIN, A. A.; CAMPOS, A. G. As bases Sociais do sindicalismo metalúrgico: rumo a um novo “novo sindicalismo”. In: ARBIX, G.; ZILBOVICIUS, M. **De JK a FHC: 40 anos de indústria automobilística no Brasil.** São Paulo: Scritta, 1997.

CARDOSO, A. M.; LAGE, T. **As normas e os fatos: desenho e efetividade das instituições de regulação do mercado de trabalho no Brasil.** Rio de Janeiro: FGV, 2007.

COMIN, A. A. A experiência de organização das centrais sindicais no Brasil. In: OLIVEIRA, C.A.B.; OLIVEIRA, M.A.; MATOSO, J. (Orgs.). **O mundo do trabalho: crise e mudanças no final do século XX.** São Paulo: Scritta, 1994.

DELGADO, M. G. **Curso de direito do trabalho.** São Paulo: LTR Editor, 2006.

DIEESE – DEPARTAMENTO INTERSINDICAL DE ESTATÍSTICA E ESTUDOS SOCIOECONÔMICOS. As negociações coletivas na década de 2000. In: DIEESE. **A situação do trabalho no Brasil na primeira década dos anos 2000.** São Paulo: Dieese, 2012.

DRUCK, G. Os sindicatos, os movimentos sociais e o governo Lula: cooptação e resistência. **Observatório Social De América Latina**, v. 19, p. 329-340, 2006.

FILGUEIRAS, V. A. **Explicando a desunião: a pulverização sindical no Brasil após a promulgação da Constituição de 1988.** 2008. Dissertação (Mestrado) – Unicamp, Campinas, 2008.

GONZALEZ, R. *et al.* Regulação das relações de trabalho no Brasil: o marco constitucional e a dinâmica pós-constituente. **Políticas Sociais: Acompanhamento e Análise**, v. 2, n. 17, p. 85-151, 2009.

ILO – INTERNATIONAL LABOUR ORGANIZATION. **Convention 87 freedom of association and protection of the right to organise convention, 1948.** ILO, 1948. Disponível em: <<https://goo.gl/QfDtNI>>.

_____. **Convention 98 Right to organise and collective bargaining convention, 1949.** ILO, 1949. Disponível em: <<https://goo.gl/idr75O>>.

_____. **Convention 135 Right to organise and collective bargaining convention, 1971.** ILO, 1971. Disponível em: <<https://goo.gl/WcgVVd>>.

_____. **Convention 141 Right to organise and collective bargaining convention, 1975.** ILO, 1975. Disponível em: <<https://goo.gl/ScPZiL>>.

_____. **Convention 151 Right to organise and collective bargaining convention, 1978.** ILO, 1978. Disponível em: <<https://goo.gl/0VUafq>>.

IPEA – INSTITUTO DE PESQUISA ECONÔMICA APLICADA. Análise do mercado de trabalho - abril de 2016. **Mercado de Trabalho: Conjuntura e Análise**, v. 22, n. 60, p. 10-22, 2016.

JUNCKES, I. J. Sindicalismo e governos no Brasil: oposição e apoio, cooperação e conflitos entre 1997 e 2008. **Revista Latinoamericana de Estudios del Trabajo**, n. 23/24, p. 195-220, 2010.

KREIN, J. D.; SANTOS, A. L.; NUNES, B. T. **Trabalho no governo Lula: avanços e contradições.** Campinas: Unicamp, 2012. (Texto para Discussão do IE/Unicamp, n. 201).

LADOSKY, M. H. G. **A CUT no governo Lula: da defesa da “liberdade e autonomia” à reforma sindical inconclusa.** 2009. Doutorado (Dissertação) – Faculdade de Filosofia, Letras e Ciências Humanas, Universidade de São Paulo, São Paulo, 2009.

MARONI, A. **A estratégia da recusa: análise das greves de maio de 1978.** São Paulo: Brasiliense, 1982.

MARTINS, H. S. **O Estado e a burocratização do sindicato no Brasil.** São Paulo: Hucitec, 1989.

NORONHA, E. G. **O modelo legislado de relações de trabalho e seus espaços normativos.** 1989. Doutorado (Dissertação) – Faculdade de Filosofia, Letras e Ciências Humanas, Universidade de São Paulo, São Paulo, 1998.

PAOLI, M. C. **Trabalho e conflito na era do Estado: direitos sociais, cidadania e leis do trabalho no Brasil: 1930-1950.** Doutorado (Dissertação) – London University, Londres, 1985.

RAGIN, C.; ZARET, D. Theory and method in comparative research: two strategies. **Social Forces**, v. 61, n. 3, p. 731-754, 1983.

RAMALHO, J. R. Novas configurações do sindicalismo no Brasil? uma análise a partir do perfil dos trabalhadores sindicalizados. **Contemporânea - Revista De Sociologia Da UFSCAR**, v. 4, n. 2, 381-403, 2014.

RODRIGUES, I. J. Trabalhadores e sindicalismo no Brasil: para onde foram os sindicatos. **Caderno CRH**, v. 28, n. 75, p. 479-491, 2015.

RODRIGUES, I. J.; RAMALHO, J. R.; CONCEIÇÃO, J. J. Relações de trabalho e sindicato no primeiro governo Lula (2003-2006). **Ciência e Cultura**, v. 60, n. 4, p. 54-57, 2008.

RODRIGUES, J. A. **Sindicato e desenvolvimento no Brasil**. São Paulo: Símbolo, 1979.

RODRIGUES, L. M. **Destino do sindicalismo**. São Paulo: Edusp, 1999.

SADER, E. **Quando novos personagens entram em cena: experiências, falas e lutas dos trabalhadores da grande São Paulo entre 1970-1980**. Rio De Janeiro/São Paulo: Paz E Terra, 1988.

SIMÃO, A. **Sindicato e Estado: suas relações na formação do proletariado de São Paulo**. São Paulo: Dominus, 1966.

TELLES, V. **A Experiência do autoritarismo e as práticas instituintes: os movimentos sociais em São Paulo nos anos 70**. 1985. Mestrado (Dissertação) – Universidade de São Paulo, São Paulo, 1985.

VIANNA, L. W. **Liberalismo e sindicato no Brasil**. Rio De Janeiro: Paz E Terra, 1976.

DATABASES

AIAS – AMTERDAMS INSTITUUIT VOOR ARBEIDSSTUDIES. **ICTWSS**: Database on Institutional Characteristics of Trade Unions, Wage Setting, State Intervention and Social Pacts (2015 version). Database available at: <<http://www.uva-aias.net/208>>.

BRASIL. Ministério do Trabalho e Emprego. **Cadastro Nacional de Entidades Sindicais 2015**. Disponível em: <<https://goo.gl/Ft5AV8>>.

IBGE – INSTITUTO BRASILEIRO DE GEORGRAFIA E ESTATÍSTICA. **Pesquisa Nacional por Amostra de Domicílios 2014**. Disponível em: <<http://www.ibge.gov.br/home/estatistica/populacao/trabalhoerendimento/pnad2014/microdados.shtm>>.

ILO – INTERNATIONAL LABOUR ORGANIZATION. **Trade Union Membership Statistics 2014**. Database available at: <<https://goo.gl/gfRLUe>>.

OECD – ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT. **Union Members and Employees 2015**. Database available at: <<https://goo.gl/eeB453>>.

APPENDIX

APPENDIX 1 – AFFILIATION RATIO

There are several controversies involving the affiliation rate. In particular, if it is really a proper indicator of the strength of union organization and union activity in the Brazilian case.

Among other reasons, historically, labour unions haven't depended of workers' affiliation to represent them – since the 1930s, collective agreements have been negotiated with companies and applied to all workers, affiliated or not.

In addition, in the same period, unions haven't been forced to mobilize those workers to negotiate such agreements – they have simply filed collective suits in the Labour Justice, and this specialized justice has forced some consensus with the companies.

Finally, unions haven't depended of workers' affiliation to get funded – since the 1930s, there has been a collection of compulsory contributions on wages, to fund not only unions, but also the whole structure above them (federations and confederations and, more recently, union centrals).²⁹

These controversies about the affiliation rate, especially its suitability for measuring the proximity between workers and unions, have been widely discussed in the literature. This suitability can be discussed from two points of view, which are not mutually exclusive (on the contrary).

The first refers to workers (with a focus on their proximity to the unions, revealed by the affiliation). And the second concerns the unions themselves (with a focus on the importance of affiliation to their organization and action).

Regarding the first point, for workers (and especially for those in some economic sectors, as some segments of industry), the fact of being affiliated actually makes them closer to the unions.³⁰

29. See Martins (1989) and Rodrigues (1979).

30. See Cardoso (1999, 2003) and Cardoso, Comin and Campos (1997).

When affiliated, they are better informed about the various aspects of union life, engage in more events (such as assemblies and elections) and take part more often of collective mobilizations (such as strikes).

In fact, especially in some economic sectors, the affiliation reflects a kind of ‘polarization’ of workers’ attitudes towards unions.

If affiliated, it is because they know and positively evaluate the consequences of this act, agreeing with the positions of their unions (against the companies, against the State etc.).

When not affiliated, it is because they also know, but not evaluate positively the consequences of that act – rather, they evaluate negatively (for not agreeing with the unions’ positions).

Concerning the second point, in some important economic sectors (as some segments of the manufacturing industry), the unions are no longer independent of the workers to their organization and action, as occurred for a long period after the 1930s.³¹

For example, the collective bargaining is no longer carried out filing suits in the Labour Justice, but through the mobilization of unions’ social bases (with strikes that force companies to negotiate and to contract).

In addition, the funding of unions (in some of economic sectors) is no longer dependent (exclusively or even mainly) on the compulsory contributions. This funding depends on voluntary contributions and other contributions (which are based on the results of the negotiation/collective bargaining conducted by the unions, with the support of workers).

In sum, from two different perspectives, the literature has shown that, in the period studied in this article, the affiliation rate may be a relevant indicator for unions’ organization and activity.

31. See Cardoso (1999, 2003) and Cardoso, Comin and Campos (1997).

APPENDIX 2 – RESULTS OF LOGISTIC REGRESSION

In the sequence, there are the results of a binomial logarithmic regression, built to measure the odds of being affiliated to a labour union, according to many different workers' attributes (and of their occupations or jobs).

TABLE 4
Affiliation odds ratio in rural areas (rural workers' attributes)

	Odds ratio	Standard error	Z	P> Z	Odds ratio (inf.threshold)	Odds ratio (sup.threshold)
Region						
NE	2,19	0,096	17,92	0,000	2,01	2,38
SE	1,35	0,075	5,35	0,000	1,21	1,50
S	1,41	0,083	5,93	0,000	1,26	1,59
CO	0,96	0,072	-0,54	0,592	0,83	1,11
Worker's social attributes						
Sex	0,61	0,021	-14,69	0,000	0,57	0,65
Race	1,11	0,04	2,99	0,003	1,04	1,20
Age	2,51	0,106	21,81	0,000	2,31	2,73
Years of study	0,98	0,035	-0,47	0,638	0,92	1,05
Worker's occupational attributes						
Job tenure	2,00	0,075	18,52	0,000	1,86	2,15
Labour income	1,29	0,054	6,20	0,000	1,19	1,40
Self-employed (small producer)	1,49	0,051	11,44	0,000	1,39	1,59
Constant	0,06	0,004	-45,05	0,000	0,06	0,07

Notes: Method = one-stage selection, non-hierarchical. Log likelihood = -12.901,581. LR chi2(11) = 2.446,692. Prob > chi2 = 0,000. Pseudo R2 = 0,087.
Source: Microdata from PNAD/IBGE, 2014.

TABLE 5
Affiliation odds ratio in urban areas (urban workers' attributes)

	Odds ratio	Standard error	Z	P> Z	Odds ratio (inf.threshold)	Odds ratio (sup.threshold)
Region						
NE	1,51	0,045	13,89	0,000	1,43	1,60
SE	1,05	0,030	1,65	0,099	0,99	1,11
S	1,18	0,038	5,05	0,000	1,10	1,25
CO	1,19	0,040	5,09	0,000	1,11	1,27
Worker's social attributes						
Metropolitan area	0,96	0,016	-2,70	0,007	0,93	0,99
Sex	0,99	0,017	-0,84	0,399	0,95	1,02
Race	1,00	0,017	-0,18	0,859	0,96	1,03
Age	1,44	0,028	19,20	0,000	1,39	1,50
Years of study	1,36	0,034	12,29	0,000	1,29	1,42
Worker's occupational attributes						
Job tenure	1,60	0,029	26,41	0,000	1,55	1,66
Priv./Publ. employee	4,51	0,095	71,78	0,000	4,33	4,70
Labour income	2,04	0,039	36,99	0,000	1,97	2,12
Sector of occupation						
Construction	0,56	0,021	-15,34	0,000	0,52	0,60
Commerce	0,62	0,017	-17,17	0,000	0,59	0,66
Services	1,00	0,024	-0,12	0,902	0,95	1,04
Public administration	0,99	0,032	-0,40	0,686	0,93	1,05
Domestic services	0,33	0,026	-13,84	0,000	0,28	0,39
Other	0,99	0,029	-0,43	0,666	0,93	1,05
Constant	0,02	0,001	-86,26	0,000	0,02	0,02

Notes: Method = one-stage selection, non-hierarchical. Log likelihood = -51.155,818. LR chi2(18) = 16.588,603. Prob > chi2 = 0,000. Pseudo R2 = 0,140.
Source: Microdata from PNAD/IBGE, 2014.

PUBLISHING DEPARTMENT

Coordination

Cláudio Passos de Oliveira

Supervision

Everson da Silva Moura

Reginaldo da Silva Domingos

Typesetting

Bernar José Vieira

Cristiano Ferreira de Araújo

Daniella Silva Nogueira

Danilo Leite de Macedo Tavares

Jeovah Herculano Szervinsk Junior

Leonardo Hideki Higa

Herllyson da Silva Souza (estagiário)

Cover design

Luís Cláudio Cardoso da Silva

Graphic design

Renato Rodrigues Buenos

*The manuscripts in languages other than Portuguese
published herein have not been proofread.*

Ipea Bookstore

SBS – Quadra 1 – Bloco J – Ed. BNDES, Térreo
70076-900 – Brasília – DF
Brazil
Tel.: + 55 (61) 2026 5336
E-mail: livraria@ipea.gov.br

Ipea's mission

Enhance public policies that are essential to Brazilian development by producing and disseminating knowledge and by advising the state in its strategic decisions.



ipea Institute for Applied
Economic Research

MINISTRY OF
**PLANNING, DEVELOPMENT
AND MANAGEMENT**

