

CUIDADO É FUNDAMENTAL

Escola de Enfermagem Alfredo Pinto – UNIRIO

RESEARCH

DOI: 10.9789/2175-5361.rpcfo.v15.12025

RIGHTS OF NURSING TEACHERS IN THE CONTEMPORARY: ANALYSIS FROM FOCAL GROUP

*Direitos dos docentes de enfermagem na contemporaneidade: análise a partir de grupo focal**Derechos de los profesores de enfermería en la contemporánea: análisis desde un grupo focal***Sheila Nascimento Pereira de Farias¹** **Karla Gualberto Silva¹** **Viviane Brasil Amaral dos Santos Coropesl¹** **Eloá Carneiro Carvalho¹** **Thereza Cristina Mó y Mó Loureiro Varella²** **Norma Valéria Dantas de Oliveira Souza²** 

ABSTRACT

Objective: to verify the perception of university nursing professors about their labor rights and to discuss these rights in contemporary times. **Method:** descriptive and exploratory research with a qualitative approach carried out in public universities located in the city of Rio de Janeiro. Study participants were 14 nursing professors working at two public universities. For data collection, the focus group was used and the data were analyzed in the light of the content analysis technique. **Results:** three categories emerged: the rights of nursing professors in public universities in the neoliberal context; education as a right for all for the development of Brazil; and labor rights from the perspective of nursing professors: respect for the employment contract. **Conclusion:** the need to respect human rights is highlighted, in order to promote quality of life in the context of the teacher's work.

DESCRIPTORS: Faculty nurse; Nurse; Faculty; Human rights; Education.

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Received: 07/31/2022; Accepted: 09/05/2022; Published online: 04/17/2023

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How cited: Farias SNP, Silva KG, Coropesl VBASC, Carvalho EC, Varella TCMML, Souza NVDO. Rights of nursing teachers in the contemporary: analysis from focal group. *R Pesq Cuid Fundam* [Internet]. 2023 [cited year month day];15:e12025. Available from: <https://doi.org/10.9789/2175-5361.rpcfo.v15.12025>



RESUMO

Objetivo: verificar a percepção dos docentes universitários de enfermagem acerca dos seus direitos laborais e discutir tais direitos na contemporaneidade. **Método:** pesquisa descritiva e exploratória de abordagem qualitativa realizada em universidades públicas situadas no município do Rio de Janeiro. Os participantes do estudo foram 14 docentes de enfermagem lotados em duas universidades públicas. Para a coleta de dados foi utilizado o grupo focal e os dados foram analisados à luz da técnica de análise de conteúdo. **Resultados:** emergiram três categorias: os direitos do docente de enfermagem nas universidades públicas no contexto neoliberal; educação como direito de todos para o desenvolvimento do Brasil; e direitos laborais sob a ótica dos docentes de enfermagem: respeito ao contrato de trabalho. **Conclusão:** destaca-se a necessidade de respeito aos direitos humanos, para a promoção da qualidade de vida no contexto do trabalho do docente.

DESCRITORES: Docente de enfermagem; Enfermagem; Docentes; Direitos humanos; Educação.

RESUMEN

Objetivo: verificar la percepción de los profesores universitarios de enfermería sobre sus derechos laborales y discutir esos derechos en la contemporaneidad. **Método:** investigación descriptiva y exploratoria con enfoque cualitativo realizada en universidades públicas ubicadas en la ciudad de Río de Janeiro. Los participantes del estudio fueron 14 profesores de enfermería que trabajaban en dos universidades públicas. Para la recolección de datos se utilizó el grupo focal y los datos fueron analizados a la luz de la técnica de análisis de contenido. **Resultados:** surgieron tres categorías: los derechos de los profesores de enfermería en las universidades públicas en el contexto neoliberal; la educación como derecho de todos para el desarrollo de Brasil; y derechos laborales en la perspectiva de los profesores de enfermería: respeto al contrato de trabajo. **Conclusión:** se destaca la necesidad de respetar los derechos humanos, con el fin de promover la calidad de vida en el contexto del trabajo docente.

DESCRIPTORES: Docentes de enfermería; Enfermería; Docentes; Derechos humanos; Educación.

INTRODUCTION

Worker health actions are contemplated in article 200 of the Federal Constitution, whose determinations of the Sistema Único de Saúde (SUS) include: "epidemiological and sanitary surveillance actions, as well as worker health," in addition to collaborating in the protection of the environment, including the work environment.¹ The principles, actions, and fields of action of the SUS are defined in the Federal Constitution and in Law no. 8080 of 1990, the Lei Orgânica de Saúde (LOS). The LOS establishes actions of services to promote, protect, and recover health, and also governs the organization and development of services. The worker is contemplated in article 60 of the LOS, which, in general, guarantees quality assistance to the user who suffers from diseases related to the work activity, execution of studies and research related to the work activity, evaluation of potential risks and the impact of technology in the occupational process, as well as the disclosure of this information to employers and workers, among other guarantees.²

In the scope of the regulation of labor rights, there is the Consolidação das Leis Trabalhistas (CLT – Law No. 5452, of May 1, 1943), which governs labor relations in the urban and rural spheres. In the public service, in the federal, state, and municipal spheres, the regime is statutory, governed by the Public Servant Statute (by Law no. 8.112/90), the legal link between the servant and the public administration.

In the university sphere, in public institutions, it is observed the coexistence of both statutory and celetal legal regimes. In the Union sphere and specifically in the state of Rio de Janeiro, there are specific laws for hiring substitute teachers; Laws 8745

of December 9, 1993 at UFRJ 3 and Law 6901 of October 2, 2014 at UERJ.⁴

The educational reform as a result of the context of the new work organization is not a particularity of Brazil alone, reaching several countries in a global dimension that, in turn, has had repercussions in positive and negative aspects for university professors. Considering the negative aspects that have been permeating the work of university professors and considering the neoliberal context of contemporaneity, it can be verified, therefore, that work overload, academic productivism, intensification of work, and the offer of low salaries have contributed to the development of dissatisfaction, stress, and sickness among university professors.⁵⁻⁶

The hiring of substitute professors, with temporary contracts for a maximum of two years, does not allow the formation of permanent ties with the institutions. These professionals are contracted for 20 hours of work and generally support teaching in the classroom and in practice fields.⁷ Thus, when they become familiar with the institution and its work processes, they leave the university. The replacement of teachers with vacancies through competitive examinations becomes increasingly scarce, which generates an overload for the workers who remain in the labor context. In this context, it is known that universities produce knowledge, teaching, and service; thus, nursing teachers must work in these three areas: teaching, research, and extension. Thus, the decrease in human resources is a concern in terms of the health of these workers and also the quality of the work activities developed.⁷ There is also a lack of resources for maintaining the infrastructure of universities, such as investment in material inputs and in the infrastructure of these educational

institutions. This deficit is currently seen with great concern by the entire university community.⁷

This new organization of the work of universities is a global phenomenon that covers not only Brazil, but several countries. In relation to China, the consequences of these actions, as in Brazil, have resulted in the increase of productivity in universities, causing an increase and intensification of the workload,⁷ which culminates in work stress and the emergence of occupational diseases. Moreover, the low salaries offered to university professors cause great dissatisfaction among workers.

Thus, in this context, faculty workers see universities being scrapped due to lack of investment in technology and infrastructure, as well as human resources. The professor who works in research, teaching and extension ends up paying a high price to meet the labor demands, compromising his physical and mental health, often leading to exhaustion and chronic emotional stress, which can cause, for example, burnout syndrome.⁸

The term burnout is metaphorically defined as that which has reached its limit, with great loss in physical or mental performance. According to the World Health Organization (WHO), burnout syndrome is a process that begins with excessive and prolonged levels of stress at work, where the individual characteristics of people associated with the environment and the work, potentiate the appearance of the multidimensional factors of the syndrome, which are: emotional exhaustion, affective detachment, and low professional accomplishment. In this context, it is a fact that university professors have been dismissed from their jobs or have been presenteeism because they suffer from burnout syndrome.⁹ Linked to the problem of the teaching work, in Brazil there is a need to defend public universities that are free, of quality, socially referenced, and with a strong involvement in science and technology, in order to build a development project for the country based on scientific and technological security.⁷

This project must redirect the organization of the public university towards a model that contributes to better living and working conditions for professors. From this angle, it is emphasized that the cost of health for professors is high and that it is necessary to prevent injuries to this population, emphasizing also that professors are overloaded and their way of life is vilified.⁷ Therefore, it is urgent to guarantee their labor rights and good working conditions for this professional group.

Thus, this study aims to verify the perception of nursing professors about their labor rights, and to discuss these rights in contemporary times.

METHODS

This is a qualitative, descriptive and exploratory research, conducted and structured with reference to COREQ (CUOnsolidated Criteria For Reporting Qualitative Resach).¹⁰ The study was carried out in two public universities located in the city of Rio de Janeiro, one state (University A) and the other federal (University B). These two institutions were chosen because they have their own specificities in the human resource management

models of the professors, thus contributing to a greater richness of the data collected.

The professors develop teaching, research, or extension activities in these units. The nursing faculty of University A has four departments: Public Health Nursing, Fundamentals of Nursing, Maternal and Child Nursing, and Medical-Surgical Nursing. The School of Nursing at University B has five departments: Public Health Nursing, Fundamentals of Nursing, Maternal-Child Nursing, Medical-Surgical Nursing, and Department of Nursing Methodology.

The participants of the study were 14 nursing faculty members working at the two universities mentioned above, eight faculty members at University A and six faculty members at University B. These faculty members work in the dimensions of teaching, research and extension.

The inclusion criterion included teachers who had a statutory employment contract or temporary contracts as substitute teachers. The exclusion criterion was not being in teaching activities, as well as being on leave or vacation during the data collection period.

The focus group was used for data collection. In this study we conducted two focus groups, with two sessions each. The focus group is a data collection and analysis technique for qualitative research that is an important instrument to promote well-being and quality of life. Moreover, it is used for human resource management and strategic planning of the actions to be developed in the workplace.

The data was collected in classrooms that were properly organized, with good lighting and temperature, as well as the necessary furniture to fill out the instruments and conduct the focus group. Initially, the research was presented to the study participants, who then signed the Free and Informed Consent Form. After this procedure, the sociodemographic characterization form prepared by the research team was made available to the group, and then the focus group began, when the researchers conducted the session by reading the guiding questions, and subsequently validating the answers at the end of the session.

There was the observation of behaviors and expressions, as well as the obtaining of statements, which was done with the help of a tape recorder and a cell phone. We timed the focal groups, which lasted about two hours each. Thus, the following guiding question was debated: What are the rights of university nursing faculty workers?

The data found were analyzed using the content analysis technique, which is characterized by a set of analysis and interpretation techniques, involving three stages defined as: pre-analysis, exploration of the material, and treatment of the results, inference, and interpretation.¹¹

For the development of this research, the guidelines of Resolution 466/2012 of the National Health Council were followed, and the research project was submitted for consideration by the Research Ethics Committee of the Federal University of Rio de Janeiro (UFRJ), approved on December 9, 2019, with CAAE: 25587919.0.0000.5238 and opinion number: 3.752.545. And of

the coparticipating institution, Universidade do Estado do Rio de Janeiro (UERJ), approved on January 21, 2020, of CAAE: 25587919.0.3001.5282 and opinion number: 3.804.886.

RESULTS

Thinking about rights and the perspective of achieving quality of life in the work environment is fundamental in contemporary and postmodern times, given the affront to the pre-established rights of working citizens, especially the human and fundamental rights listed in the 1988 Constitution.⁹

Through this study, three categories emerged: the rights of nursing professors in public universities in the neoliberal context; education as a right for all for the development of Brazil; and labor rights from the perspective of nursing professors: respect for the work contract.

Nursing faculty rights in public universities in the neoliberal context

the fundamental rights that make up the 1988 Constitution are the fruit of citizens' conquests. Rights are not given, they are conquered, in whatever sphere, rights reveal the protection of the citizens of a nation to its members. In this line of thought there were the following speeches.

Workers' rights are always the fruit of conquest. Today it is the interest of the private sector to the detriment of the public sector, an exacerbated neoliberalism. We need to get stronger. What is conquered in the university is with hard work. (P13)

The university is a public good, for the people and not for politicians. It is our right to have it standing. (P14)

We are losing our rights with the labor and social security reforms. For the neoliberal ideals and a context of total precarization of work. (P12)

The right to be treated with respect and dignity by the rulers, this right I have and they need to learn to respect it. (P1)

The university belongs to the Brazilian people and is a public good that needs to be preserved. Despite private and neoliberal interests, it needs to stay standing. Thus, the interviewees believe in the strengthening of public university institutions to face the issues inherent to the making of science. The right to dignified and non-offensive treatment from the rulers is, without a doubt, the minimum to be done.

The interviewees also believe that the respect for conquered labor and social security rights is of fundamental importance, despite the recent losses. The understanding that work is the fruit of conquest, capacity, and competence is a consensus among the workers of both universities, as well as the need to respect the dignity of the human person and the human rights of nursing teachers.

Education as a right for all for the development of Brazil

as far as Law is concerned, professors see basic education and the social vulnerabilities of students as a problem that reverberates in the professional practice of professors in universities. The right to education is everyone's right; it is a social right, constitutionally provided and that needs to be safeguarded.

The problem of education is not only a university problem, it is a whole social, economic, political problem, of society as a whole, which will have an impact on teaching practice at the university. (P2)

We have to take the student who arrived in a difficult situation, who has basic education needs. The coordination created pedagogical support centers in the universities, but they overload the teachers. (P4)

Social vulnerabilities impact the right to education. The student arrives at the university with no conditions and we have to teach how to take care with excellence, to know how to position oneself in a team. (P10)

For the participants, the student often arrives at the universities without financial conditions and basic teaching content. This overloads the professors, because, besides the curricular subjects, they try to remedy the deficiencies prior to entering the university to understand the contents. The students have social problems that make learning extremely difficult, which makes the nursing teacher more overloaded and susceptible to numerous diseases due to stress.

Labor rights from the perspective of nursing teachers: respect for the employment contract

as for labor issues, the participants feel disrespected when it comes to the workload. They see themselves completely invaded in the private context. The following are the reports that point to this assertion.

People need to respect work schedules, they send work message at night, I solve problem all the time, there is no respect. (P3)

Work contracts need to be respected according to what we earn. There is an invasion in personal life. (P11)

Respect for the vacation period, no charging by e-mails or Whatsapps, when I blocked during the vacation period it was a strategy to recover my mental sanity, I could not stand it anymore. (P2)

The post-modernity and globalization is imposing on us a work rhythm, invading our spaces and we no longer have the option of not fitting into this work regime. (P8)

One can observe the allusion to the need to respect the vacation period and the night shift, when there is emphasis on the fast pace of work with earnings incompatible with the work

developed. In this sense, there was an emphasis on the need to respect the employment contract.

DISCUSSION

In this section, we seek to discuss the rights of university nursing faculty members in contemporary times

Nursing faculty rights in public universities in the neoliberal context

the year 2016 was emblematic due to the dismantling of universities and social rights won by workers in Brazil, especially after the impeachment of Dilma Rousseff, initiated by the government of Michel Temer. An offensive on social rights in Brazil has been observed, such as the reform of labor laws with law n 13.467 of 2017, of the social security system, and the ongoing administrative reforms. It is important to highlight that the continuity of the attacks on workers occurred through the deregulation of several social rights in Brazil. Thus, the dismantling of rights directly affected the health and education sectors.¹²

These events have inaugurated an offensive against public service and existing social policies. It is noteworthy that this process was validated by the emendas constitucionais (EC) approved, among a series of legislative actions. The amendments that interfered most in universities were EC 93 and EC 95, both extremely harmful to universities. The EC 93 established changes in the revenue for social policies in the amount of thirty percent of the disengagement, expanding, through the EC 76-A and 76-B of the Ato das Disposições Constitucionais Transitórias (ADCT), redirecting the resources previously destined to social policies to the payment of interest on the public debt, in short, to the financial market.¹²

In the face of this adverse picture, it can be inferred that this is a State completely focused on the demands of capital, under the aegis of the World Bank, aimed at the transfer of capital at the expense of health and education in Brazil, with the justification of paying interest on the public debt, that is, a new form of neo-colonialism, through the redirection of items previously linked to public administration and maintenance of essential services.¹²

The recognition of the university as a center for the formation of a culture of human rights stands out. In this sense, its social relevance is notorious, with characteristics that incorporate the production and dissemination of knowledge as a public and social good. From the perspective of human rights, the university will be able to contribute to the formation of subjects that give back to society this value. And, above all, recognize the need to respect this right among their peers. That they value the rights of teachers and students as subjects with needs that must be respected.¹³

As far as the national guidelines for human rights education are concerned, universities must articulate this content with social demands in order to generate transformations based on critical education. The orientation is the insertion of this content in teaching, research, and extension in universities. As well as

in university management and in interpersonal relationships in universities.¹⁴

Education as a right for all for the development of Brazil

it is asserted that the dismantling of social rights is in fact a matter of measures imposed by international organizations to compound the crisis of capital at the expense of these rights, with the excuse of an apparent search for the fiscal balance necessary for the development of the country. Thus, the Brazilian citizen is being exploited when he pays his taxes, because instead of receiving constitutionally listed services, such as health and education, the resources are being directed to pay interest on a debt he never incurred.¹²

The right to education, health, and work are social rights foreseen in the Brazilian constitution of 1988, therefore, fundamental rights. In this sense, article 5 provides for the immediate applicability of these rights, and article 6 points to education as a fundamental right, with a social nature, both in the magna carta.¹⁵ Still, it is asserted the need for the availability of action based on discussions, in the scope of the defense of the right to education at all levels in the country, so as to make the taxes paid in retribution to the nation worthwhile.

In this line of thought, the universities, through their functions of teaching, research, and extension, have the responsibility to form people committed to the development of the country, to the defense of democracy; as well as to the production of knowledge in defense of the eradication of social vulnerabilities, discrimination, and the understanding of different social realities. Finally, to be an agent of change and defense of education at all levels of training. The defense of human rights is undoubtedly committed to these aspects.¹³ In this context, nursing professors carry out activities focused on the education of qualified nurses, as well as on the production of knowledge and respect for human rights. To this end, they work in diverse work environments with multiple degrees of complexity. Thus, they act in the recognition of the value of education at all levels.¹⁶

Labor rights from the perspective of nursing teachers: respect for the employment contract

when investigating the reality of nursing teachers, they suffer from precarious social policies due to the advance of neoliberalism. The productivist logic prevails in work environments, including the academic environment, which has repercussions on the work rhythm, which becomes increasingly intense, with multiple tasks, demanding more and more of the professor a high performance.¹⁷

In an attempt to cope with multiple tasks, the teacher does not impose limits on the hours worked. This leads to unlimited work, which greatly exceeds the teachers' contracted working hours. Generally, the work contract is for 20 or 40 hours, which can be with exclusive dedication. The professor is sometimes forced to work nights, holidays, and weekends, trying to fulfill all

the tasks imposed on him/her in the areas of teaching, research, and extension.¹⁸

In this sense, the labor organizations in the academic environment reproduce the capitalist ideals inside the universities, which overburden the professors by the constant tension for production. Imbued with a feeling of guilt for not being able to perform, the professor suffers and becomes ill.¹⁷

In unsatisfactory working conditions, they are subjected to occupational risks and exhausting workloads, with overtime worked without being computed, nor valued in their salaries, a reality shared internationally among the countries, after the Washington consensus and directed by the World Bank and the International Monetary Fund.⁷

When analyzing the rights of nursing professionals, including teachers, with regard to the work day, it is noteworthy that the Federal Constitution of 1988, article 7, XIII, states that the work week must not exceed 44 hours, or 8 hours daily. In the nursing teaching field, in universities, it is notorious the need to comply with the work contract; the fact of being exclusive dedication should not mean compromising the hours dedicated to family, leisure, or rest.⁷

In the teachers' work day, the need for energy replacement must be considered, since the experience of teaching nursing exposes the teacher to occupational risks that must be constantly evaluated.¹⁹ In this context, the term rationalize is born, with the end of job creation, leaning the machine, cutting jobs. The economic machine is evaluated by the closing of jobs. The word flexible represents the abandonment of production lines and workers, in search of cheaper and more profitable labor. Thus, the hiring of new professors at universities, to replace retirement vacancies, is increasingly precarious, overloading the workers who are working at the universities.¹⁸

It is worth mentioning that, with neoliberalism, the decrease in public competitions, the hiring of professors via stable contracts becomes less and less frequent. The consequence is an increase in temporary contracts of two years at most, and when the professor is established in the work organization, the contract ends.¹⁸ In sum, the work of professors in public universities suffers from work intensification due to the imposed productivity model. Thus, labor precarization originates in the context of productive restructuring. The logic of the expansion of the hiring of substitute professors, through temporary contracts, has been increasing.

These teachers are hired on a part-time basis, have unstable contracts, and generally look for another job to supplement their income. As for the teachers with permanent contracts, they suffer with precarious working conditions and with salary defasation, the so-called salary corrections are, in fact, bonuses not incorporated into the salary. Besides, the salaries are outdated, which represents the devaluation of the professors at public universities in Brazil. There is a strong correlation between the weakening of the collective and the increase in temporary hiring. In this logic, an appeal is made to the need for faculty organization as a way to positively transform labor conditions and workers' health.⁷

The study was developed in only two public universities located in the municipality of Rio de Janeiro, Brazil, which makes it impossible to generalize the results to all professors. However, it can be replicated in other groups of professors who experience activities similar to those of the participants of this research, enabling further information, as well as the improvement of service and quality in the area of training.

CONCLUDING REMARKS

As for the perception of nursing university professors about their rights, it was possible to conclude that workers emphasized the need for respect for human rights, constitutional rights and dignified treatment, and also highlighted them as preponderant for the promotion of quality of life at work in the neoliberal context. The 1988 Federal Constitution was determinant for the workers' sense of protection, which contributed to the development of fair claims, such as the right to universal and free education for all Brazilians.

Thus, there is an evident need for investment in public universities for the development of teaching, research, and extension; in the increment of science and technology, as well as in the physical structure of the university and its maintenance. Furthermore, such investment will positively impact the academic education of students and the health of teachers, since they will have better working conditions.

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