


## THE COMPLIANCE MODEL IN MENTAL HEALTH PREVENTION IN BRAZILIAN UNIVERSITIES

 <https://doi.org/10.56238/arev6n4-132>

Submitted on: 10/11/2024

Publication date: 10/12/2024

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### ABSTRACT

The pandemic that began in early 2020 in Brazil brought change to workers. There was an overlap of personal and professional tasks and caused physical and mental illness, as reported by several studies. Telework has the possibility of continuing to be the work model for some professions, such as teaching. A compliance model is proposed for Higher Education Institutions – HEIs and the objective is to collect the opinion of higher education professors in Brazil, in the public and private networks, to verify the importance of this preventive model of illness. The follow-up would be offered free of charge by the employing HEI and the hypothesis is that the teacher understands that it would improve his quality of life, his performance as a professional and the HEI should reap fruits with the mitigation of dissatisfaction on the part of students and teachers, with a view to the well-being of professionals and the sustainability of the image and financial order.

**Keywords:** Labor compliance, Mental health, Universities, Teaching.

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## INTRODUCTION

The pandemic that began in 2020 brought a scenario of serious illness and many deaths in the world and Brazil was hit from 2020 onwards. The SARS-CoV-2 virus brought consequences of sudden change of habits. In March 2020, the moment in Brazilian health was one of emergency, which led governors, including that of Ceará, to decree a state of social isolation and later *lockdown*, to contain the spread of the disease, based on Decree No. 33,510 of March 16, 2021 (Government of Ceará, 2020). The Brazilian worker, who did not have his employment contract suspended, by Provisional Measures 927 and 936 (Government of Brazil, 2020), started to work outside the company's physical space, and whose work environment was not controlled by Regulatory Standards, Ordinances and Administrative Acts issued by the Ministry of Labor. The work environment is a matter under the supervision of the State, but there is no regulation on the subject, in telework, on the contrary, leaving the parties to contract with each other.

Telework, already regulated in the CLT (articles 75-A to 75-C), surprised most workers, including teachers, who faced an accumulation of personal and professional tasks. A survey by the Peninsula Institute with 2,400 teachers, from kindergarten to high school, revealed anxiety and overload since the beginning of the pandemic, with many facing double or triple shifts when reconciling remote work, household chores, and children's education, in addition to the increase in cases of Burnout syndrome (Peninsula Institute, 2020).

The illness of teachers worries institutions because it affects their human assets and generates costs with replacements, damaging the relationship of trust between student and teacher. To ensure quality teaching, it is essential that teachers are physically and mentally healthy. In this scenario, the employer has a crucial role in promoting well-being, using compliance as a tool to deal with the changes and challenges of the pandemic and post-pandemic period.

In view of this scenario, it is questioned to what extent the psychological monitoring of university professors, in the context of private universities in the state of Ceará, characterizes a model of *labor compliance*, acting on mental health and, with improvement of the quality of life of the teaching staff, in order to avoid their illness, with temporary leave and even subsequent dismissal, and the human and financial loss arising from this moment.

The research carried out has a social purpose of helping companies in the academic field to reflect on the need for psychological help for professors working in private institutions, also as a form of *compliance*. The study contributes to science to the point where it suggests improving the quality of life of employees, the well-being of workers, improving their performance in the work environment and, consequently, attributes quality in the performance of their function, which is to pass on knowledge.

The objective of this study is to analyze the perspectives of the compliance model, which consists of avoiding the illness of university professors. Research is carried out on the tutelary condition of the state before the pandemic moment, with regard to working conditions, to verify whether there was concern about the possible psychological damage to workers, going through the analysis of the adaptation of the teacher who had to start teaching *classes online* with adaptation to existing technologies for this model, and whether psychological support for this faculty would improve their satisfaction as an employee, avoiding or reducing damage.

It is hypothesized that the offer of possible psychological counseling, free of charge by the employing University, will have the adhesion of the professor and will help him to understand the changes and to create methods of organization, which will facilitate the organization of his routine. With a better understanding of the current needs of students and the HEI, the teacher will be psychologically more organized to face challenges. The methodology adopted is bibliographic research carried out through articles from magazines and periodicals, Scielo and CAPS platforms, legislation, and also documentary research with opinion research, in *the snowball<sup>3</sup> technique*, in a sample of 117 teachers, carried out through the *google forms* platform. It duly followed what was determined by the normative CNS Res. No. 466 of 2021 and Circular Letter No. 2/2021/CONEP/SECNS/MS.

<sup>3</sup> "Social networks are becoming increasingly popular for data collection and sampling. This is due to the ease, speed in collecting data and low investment. However, traditional sampling techniques are not suitable for social networks. Thus, **Snowball Sampling**, considered a non-parametric sampling technique, is a better alternative than traditional methods.

Used in sociological research, the snowball sampling technique is a chain and non-probabilistic sampling, where existing study subjects recruit future subjects. The idea behind the technique is the same as the snowball rolling down the mountain. As the ball rolls, the mountain becomes bigger and bigger and so does this sampling. Current participants invite other people to participate in the research and with that the base becomes more robust." Available at: <<https://www.metodosexatos.com/snowball-sampling-tecnica-de-amostragem-para-redes-sociais/#:~:text=Utilizada%20em%20pesquisas%20sociol%C3%B3gicas%20a,de%20neve%20rolando%20montanha%20abaixo>>

As for the use of the results, there will be an applied research, because in view of the study related to the opinion survey, it will be tried to propose the application of a *compliance model*, in order to avoid possible labor demands and breakdown of the relationship between client and educational institution. As for the approaches, the research is qualitative, in which it seeks to evaluate the theme and its nuances, deepening the concepts and verifications and quantitative by examining data collected in the opinion survey. As for the purposes, this research is descriptive, since it will explain the characteristics of *compliance*.

## **THE CONSTITUTIONAL PERSPECTIVE OF THE WORKER AND THE WORK ENVIRONMENT**

The Brazilian worker is responsible for the production of wealth in the country, and in these activities developed, the activity of teaching, primordial for development and economic growth. It is necessary that the activity be provided legally, but, more than that, in a comfortable, pleasant way, in a healthy work environment, so that it can generate fruits and completeness for the worker represented there. Through work, man dignifies himself, affirms himself as a productive human being and contributor to society, and better understands the socio-economic conjuncture and structures of organizations, because he is part of it. Through his labor force, man transforms nature through intelligence, and with this he transforms, motivates, self-produces, and relates, understanding that it is a basis for social relations (Carmo, 2001, p. 15).

In fact, there is no way to dissociate man from worker, because work is "in the very genesis of human sociability" (Gomez and Costa, 1997, p. 10). But because it is essential to man's life, it cannot take place in any way, with the intervention of the State to establish minimum conditions of execution, privileging, in addition to other benefits, the health of the worker as a basic concern essential to not only his subsistence, but also to his well-being, to the quality of life.

The CRFB/88 determines that employers must reduce risks to the worker (art. 7, XXII), covering both physical and psychological damage. Since the 80s, workers' health has included social factors and working conditions, with emphasis on occupational health, which evaluates and intervenes to improve the work environment (Bizarria; Tassigny, 2013).

However, negligence persists, such as work overload and pressure to perform, causing illness and fear of dismissal, which makes workers hide symptoms (Gomez; Costa,

1997). Law No. 6,938/91 defines the work environment as a set of factors that should promote health and well-being, avoiding physical and mental illness.

Mental disorders have an impact on the public and private sectors. Data indicate that five of the ten most disabling diseases are of biopsychosocial origin, such as depression and alcoholism (Bizarria; Tassigny, 2013). Teleworking brought freedom, but eliminated social contact, increasing the mental load (Pinel, 2012).

In the pandemic, teachers faced challenges with remote teaching, adapting to technologies and reconciling family demands. Research shows that 89% of teachers had no experience with online teaching, and 71% found it difficult to deal with digital tools (GESTRADO, 2020). The pressure to balance teaching and technology has increased the emotional and physical strain on teachers, especially women, who are overloaded with domestic and family tasks (Venturelli, 2020).

The challenges of teaching did not start with the pandemic, but intensified. In addition to classes, teachers had to post materials, tests and grades, and continue interacting with students and families. A survey by the Carlos Chagas Foundation indicated that 91.4% of teachers increased their activities during the pandemic (2020).

This overload requires professionals to develop new skills, which affects body and mind, generating a feeling of debt for not meeting all demands (Gomez; Costa, 1997). IPEA points out that up to 65% of intellectual activities have the potential to continue teleworking, but it is necessary to reflect on whether this format is sustainable in the long term to avoid burnout (IPEA, 2020).

## **ESG (ENVIRONMENTAL, SOCIAL AND GOVERNANCE) E COMPLIANCE**

Private higher education in Brazil is regulated by the Constitution (art. 209, CRFB/88) and supervised by the government in terms of standards and quality. Higher Education Institutions (HEIs) must seek both legal compliance and excellent management to stand out in the market.

The Anti-Corruption Law (No. 12,846/13) and Decree No. 8,420/2015 reinforced the importance of integrity programs, which are connected with compliance, although compliance has a broader scope by encompassing several areas of the company. Compliance aims to improve economic activity in a sustainable way, with professional governance and quality of life for workers, aligning the well-being of teachers with customer satisfaction.

Corporate governance, which has also been adopted in HEIs, involves the definition of clear goals, coherent implementation, monitoring, and continuous evaluation. According to Peters (2013), this process improves efficiency by aligning interests between the parties involved. However, conflicts between employees and employers require incentives and monitoring to harmonize interests (Chiarello; Scalisse, 2019).

The Brazilian Institute of Corporate Governance (IBGC) highlights corporate responsibility in the Code of Best Practices, which seeks economic and financial viability and maximization of positive impacts in the long term. Within this governance, compliance translates into compliance with legal and regulatory standards, including labor rules, covering federal laws, administrative rules, and collective bargaining agreements.

In addition to complying with rules, companies must follow principles such as human dignity (art. 1, III, CRFB/88). Decree No. 9,571/2018 establishes voluntary guidelines for companies that respect human rights, granting a seal of recognition by the Ministry of Human Rights.

In HEIs, this compliance is fundamental, with a focus on valuing human assets and mitigating risks. The implementation of a well-structured compliance program improves financial sustainability, reducing reputational and legal risks, such as labor and consumer lawsuits, and becomes an essential risk management tool (Silva, 2013).

Old practices don't work in new times, especially with pre-pandemic solutions. Quality of Life at Work (QWL) programs, such as the "corporate hot tub", applied by HEIs such as UFPB, UFRJ and UFSC, which involved activities such as yoga, water aerobics and ballroom dancing, were abandoned even before the pandemic. It was found that, when returning to the previous context, "the symptoms of exhaustion reappear", triggering inappropriate actions for the exercise of the profession (Bizarria; Tassigny, 2013).

A teacher with a shaken mental health will be weakened, will be able to interpret situations in a different or more intensified way and obtain interpersonal problems with students and their peers, committing acts that can even lead to dismissal, with wear and tear in relationships, or even go through a process of conduct investigation, which is no less exhausting.

Remaining as it is today, the teacher tends to get even more ill and also bring direct financial losses, such as compensation actions for wear and tear with the student in the classroom, or even with dismissal and possible filing of a labor claim (with the possibility of reinstatement, if mental illness is recognized as a work accident or if *burnout* is



characterized) and reputational, affecting the image of the educational institution. A more complete professional as a human being should be desired, which will be reflected in his attitudes in the classroom, with which the HEI will reap the fruits of learning and satisfaction of its client.

## **LABOR COMPLIANCE MODEL IN THE MENTAL HEALTH CARE OF TEACHERS OF PRIVATE HEIS IN CEARÁ BASED ON AN OPINION SURVEY: RESULTS**

University teaching experienced the challenge of training professionals in a virtual environment. Not only to add theoretical knowledge, but to give them practical training through technology, with which many teachers were not accustomed, which may have generated anguish and suffering for them, as the research of the Peninsula Institute points out. Apart from the accumulation, these professionals still worked without an adequate work environment in ergonomic conditions and without the right to disconnect (Souto Maior, 2003, p. 296-313), because they were unable to separate work and leisure and leisure hours.

In order to verify how the professors of a higher education institution in the state of Ceará were feeling, in the constancy of social isolation as a result of the pandemic and currently, having already returned part of the activities to the face-to-face mode, an opinion survey was carried out with 117 professionals, through a form carried out on the *google forms* platform. Initially, after the Free Motivated Consent required by legislation, to which everyone answered that they would consent, with 100% of the answers being positive, they began to be asked about the subject of mental health in the pandemic.

The answers indicated that 75.2% of the professors were women and 24.8% men. Regarding marital status, 61.1% were married, and the remaining 35.9% were divided between single, separated, divorced, widowed and others. Regarding the age group, 46.2% were between 41 and 50 years old, characterized as non-digital natives.

Regarding professional activity, 99.1% continued to work during the pandemic, confirming that the sector did not stop, but migrated to the home environment with virtual classes. Of these, 89.7% reported an increase in the workload, adding teaching and domestic activities. Asked about this increase, 59.8% stated that the load grew by more than 20% compared to the period before the lockdown, while 23.1% reported an increase of approximately 20%. Another 9.4% did not notice an increase, and 7.7% indicated an increase of 10%.

Regarding technological mastery at the beginning of the lockdown, 61.5% declared to have reasonable knowledge, 27.4% minimal and 11.1% complete mastery. Thus, 88.9% had partial mastery, with a minority prepared to fully deal with technology during remote classes.

The fatigue of these professionals was clear when they were asked if they "felt more tired", "less tired" or "nothing would have changed their mood, feeling the same as before the lockdown announcement period", with a percentage response of 88% to the most tired, 8.5% to the least tired and 3.5% to those who did not feel a difference in tiredness.

From question 9, opinions about the need for psychological support among teachers during lockdown and social distancing were explored. The data reveal that 40.2% felt the need, but did not seek it; 28.2% did not feel this need; 20.5% felt the need and sought follow-up; and 11.1% did not think about it. These results reflect the trend observed in other studies, which indicate an increase in the need for psychological support during periods of stress, as also evidenced in question 8, which pointed to the fatigue of these professionals.

Regarding the possibility of free psychological counseling offered in person or online during the lockdown, 77.9% of respondents indicated that they would adhere, while 22.1% would not. This question was repeated for the transition moment (pandemic to post-pandemic), with 78.6% indicating yes and 21.4% no.

The final questions ask whether the respondents would feel better, personally and professionally, with psychological support, in their opinion, and there were the following answers:

"11. In your opinion, do you understand that adhering to psychological support, at the time of *lockdown* and personal distancing, offered to teachers, at no cost, *online* or in person, would improve their well-being as a person?

82.1% - yes

17.9 - no

12. In your opinion, do you understand that adhering to the psychological follow-up, at the time of *lockdown* and personal distancing, offered to the teacher, at no cost, *online* or in person, would improve your performance as a teacher?

82.1% - yes

17.9% - no

13. In your opinion, do you understand that adhering to psychological support, at this time of transition (from pandemic to post-pandemic), offered to the teacher, at no cost, *online* or in person, would you adhere?

78.6% - Yes

21.4% - no

14. In your opinion, do you understand that adhering to psychological support, at this time of transition (from pandemic to post-pandemic), offered to the teacher, at no cost, *online* or in person, would improve their well-being as a person?

83.8% - yes

16.2% - no



15. In your opinion, do you understand that adhering to psychological counseling, at this time of transition (from pandemic to post-pandemic), offered to teachers, at no cost, *online* or in person, would improve their performance as a teacher?  
78.6% - Yes  
21.4% - no

What can be extracted from the answers is that if there were psychological support offered to teachers (*online* or in person), most teachers would adhere and, in their opinion, they would feel better as human beings in their well-being, as well as improve *their performance* as teachers. There is no way to separate the individual from the teacher, because the latter arrives in the classroom with his experiences, expectations, questions, doubts, fears and insecurities, when he is the one who will pass on the content and who represents the educational institution in that contact.

Teachers maintain an exchange relationship with their students, compromised when they get sick. Institutions should adopt listening and welcoming practices, establishing a compliance model aimed at caring for teachers' mental health, based on the matrix suggested by Silva and Covac (2015):

- 1) **Conflict of interest:** The institution seeks excellence in teaching, but the weakened teacher may face conflicts with students, affecting the pedagogical exchange.
- 2) **Sectoral compliance risk:** Teacher attrition can generate civil litigation, claims for compensation and student departure, in addition to the eventual dismissal of the teacher, who may demand compensation for damages. If the illness is considered occupational (such as depression or burnout), it may result in leave and additional replacement costs.
- 3) **Policies and procedures:** It is essential to implement psychological support to treat or prevent pathologies, ensuring the well-being of teachers.
- 4) **Academic audit:** Attendance reports can be prepared by psychologists for managers, preserving professional secrecy.

In this way, the care and zeal for the professional who will be in the classroom or at home teaching would be safeguarded, while the professional would feel welcomed, prestigious, involved, with a feeling of belonging to that educational institution, starting to unconsciously return, in classes, face-to-face or *online*, the affection received, for feeling complete, personally and professionally, well.

## CONCLUSION

The teacher carries the responsibility of training professionals who will boost the development of countries. It is essential to offer care, prestige and assistance to these professionals, ensuring credibility to the country's economic and social situation. This care covers both the workload and environment and the needs and anxieties that make them sick.

During the pandemic, like other professions, teachers had their routines changed, teaching from home, often with their own or borrowed equipment, without the technical knowledge necessary for a full delivery of teaching. In addition to household chores, fear of contamination and care for sick family members, many suffered mental health problems.

Several entities have recommended transforming the work environment into something healthy, but research has revealed an increase in the workload and mental illness of teachers. In addition to adapting to virtual platforms, teachers had to deal with risks of invasions and concerns about the exposure of their homes to students.

In view of this, educational institutions must adopt professional management and corporate governance, with compliance as a means of support. This model is essential both for economic viability and for the preservation of its human heritage. It is essential to look inside institutions, identify risks and manage them on an ongoing basis.

Teachers need to be available to interact with empathy and understand students' experiences, according to Sobreira, Tassigny and Bizarria (2016). However, this exchange is undermined by anguish and suffering, compromising the goal of excellence.

A survey of higher education professors in Ceará confirmed that the pandemic had an emotional impact on professors, highlighting the need for care. Many stated that they would use psychological treatment offered by the institution, either in person or online, which would benefit their professional and personal performance.

Although not everyone adhered to the treatment or maintained it continuously, offering this support would already be the beginning of a compliance program. This program should include mapping, definition, and monitoring of risks, with ongoing review as needed.

With this, results would certainly be closer to teacher satisfaction. Even if it needed other care, did not completely solve the teachers' mental health, the teacher would feel welcomed, observed with concern, cared for by the educational institution. Certainly, it would improve their well-being as a person and in its completeness, they would be able to

dedicate such retribution inside and outside the classroom, bringing the objective mitigation of risks, but also propagating this kindness and care, passing it on, like a chain of good.

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