

INTERFACE BETWEEN HUMAN RIGHTS AND SUSTAINABILITY IN THE SHARING ECONOMY: THE CASE OF UBER



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ABSTRACT

Currently, society is living in the digital age, the information regime coming from the Fourth Industrial Revolution or 4.0, which has driven the expansion of digital work platforms, leveraged by technologies such as high-speed internet, artificial intelligence, cloud computing, big data and advanced algorithms. In this regard, uberized work emerges, characterized by the absence of a formal employment relationship, with long and unpredictable working hours. In addition, there is no guarantee of a minimum payment and the contribution to the social protection system is individualized and uncertain. Despite the long working hours, overtime is not paid, nor is paid weekly rest, vacations or the corresponding constitutional third ensured. This is a situation of instability that has a direct impact on the human rights of workers, given the precariousness and intensification of work, including without the possibility of direct contact with the application, so that the worker is often the target of blocking and cancellation without the right to defense or explanations. Thus, this article proposed to investigate whether Uber, within the sharing economy, guarantees the human rights and good working conditions of its drivers, while maintaining economic viability and contributing to economic sustainability. Thus, it started from the following problem: does Uber, within the sharing economy, guarantee the human rights and working conditions of drivers, while maintaining economic viability and contributing to sustainability? In fact, the sharing economy emerges as a driving force for sustainable socioeconomic development, given the changes in consumption perspectives, now based on possession, and not on property. Therefore, it is clear that Uber meets the issue of sustainability, however it needs to guarantee minimum rights of workers based on the proper regulation, fitting them into a category called self-employed app worker, with minimum rights and guarantees, considering that every human being has the right to fair and favorable working conditions and protection against unemployment.

Keywords: Digital era. Uberized work. Sustainable economy. Uber.

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INTRODUCTION

Since the Industrial Revolution, humanity has experienced a dizzying advance in science and technology, directly reflecting on the social environment, culture and economy. In this sense, the emergence of the internet in 1969 represented an important milestone, as it inaugurated a new form of communication between geographically distant people, which continues to evolve impetuously throughout the globe.

Technological advancement, especially with electricity and the *internet*, has revolutionized society and profoundly transformed the way of living. These innovations brought new habits, brought cultures closer together, introduced modern concepts of economic transactions, and redefined market models, culminating in the emergence of the sharing economy. However, the question arises: is this phenomenon really that recent?

According to Sundararajan (2018), before the industrial revolution, a considerable part of economic exchanges took place between individuals (*peer-to-peer*), within a community and intertwined in different ways by their social relations. Thus, sharing is one of the most basic forms of economic relationship and distribution, produced and developed by human societies, from barter to the most modern and technological commercial exchanges (Belk, 2010).

Today, society lives in the digital age, also called the information age, based on almost instantaneous communication resulting from globalization. In this way, *the webeconomy*, a modality of economy of the twenty-first century, has brought new forms of commercial relations based on the virtual world, transforming the contemporary world from an economic, cultural and social perspective.

According to Byung-Chul Han (2022), people are inserted in the information regime in which domination occurs through information and its processing by algorithms and artificial intelligence, which decisively determine social, political, and economic processes. Thus, the information regime is directly linked to information capitalism, which develops into surveillance capitalism and degrades human beings into livestock, consumer animals, and data. Therefore, disciplinary techniques such as spatial isolation, strict work regulation or body training become outdated in the face of connection and communication.

Indeed, the advancement of the digital economy in the last decade has resulted in the expansion of digital work platforms, driven by technologies such as high-speed internet, artificial intelligence, cloud computing, *big data* and advanced algorithms, which

have gained increasing economic importance and are transforming the way work is managed with significant implications for employment and legal regulation.

Furthermore, the technological-organizational-informational process has recently eliminated human labor, which will become superfluous and surplus, without jobs, without social security, suffering risks of accidents and deaths, and without any future perspective. This situation worsened after the global pandemic scenario, with the explosion of the SARS-CoV-2 virus, known as the Covid-19 pandemic, when there was a significant increase in unemployment rates.

In Brazil, 'uberized' work has expanded rapidly. This is because the company, which considers itself a partner of the worker, by assisting the supply and demand relationship between the worker and the user, in addition to not establishing any formal employment relationship, imposes long and unpredictable working hours so that the worker can earn a minimum wage that guarantees his subsistence. In the case in question, there is no guarantee: there is no minimum payment; the contribution to the social protection system is individualized and uncertain; Despite the extensive working hours, there is no overtime payment, nor paid weekly rest, vacations, or their respective legal third. This is a situation of instability that has a direct impact on the human rights of workers.

In this context, the theme was chosen because it is a reality of today's society, in which information and communication technologies are configured as a central element among the different mechanisms of accumulation created by contemporary financial capitalism, the so-called Industry 4.0, also called the Fourth Industrial Revolution, so that one of the main challenges of this fourth cycle is its conciliation with the generation of new patterns and work organizations, without losing sight of human rights. Based on the above, the following problem arose: *does Uber*, within the sharing economy, guarantee the human rights and working conditions of drivers, while maintaining economic viability and contributing to sustainability?

METHODOLOGY

Taking into account that the object of the study aims to understand the interface between human rights and the sharing economy, with emphasis on the case of *Uber*, the research will be characterized by a qualitative approach, focusing on understanding the meanings, experiences and contexts involved. As for the objectives, the research will be descriptive, seeking to detail and characterize the issues related to the theme under

analysis. Regarding the technical procedures for data collection, a bibliographic approach will be adopted, based on the review of specialized literature and the analysis of legal documents, norms, jurisprudence and other materials relevant to the study.

SHARING ECONOMY AND ECONOMIC SUSTAINABILITY

The growing need for a transition to sustainability is becoming increasingly evident in society. One of the areas that seeks to advance in this direction is mobility, which continuously explores sustainable alternatives. In this context, the Sharing Economy has played a relevant role, although there are still questions about its effective contribution to sustainability.

For Sundararajan (2018), the sharing economy or crowd capitalism is an economic system that basically has five characteristics: "[...] broadly market-oriented; high-impact capital, crowd networks rather than centralized institutions or hierarchies; poorly defined boundaries between professional and personal; poorly defined boundaries between full and casual employment, between work relations with or without dependence, between work and leisure". The term 'shared' is usually used to describe a commercial exchange and, therefore, other nomenclatures such as collaborative economy, *gig economy*, *peer economy* and *on-demand economy* emerge.

Thus, some authors highlight a radical change in consumption in the twentieth and twenty-first centuries, emphasizing that the twentieth century was characterized by credit-based hyperconsumption, while the twenty-first century is moving towards collaborative consumption, with a focus on reputation.

The sharing economy emerges, then, as an alternative to consumerist habits, traditionally associated with the *status* of possession, exposing the unsustainability of a pragmatic and unbridled consumption, which reinforces the foundations of the capitalist system. In the discussion about sustainable consumption in relation to the sharing economy, it is alleged that this connection occurs indirectly, not being a central characteristic of this market. However, it is essential that there is a public discourse on the part of sharing companies, so that consumers become aware of the negative impacts of the tenure-based lifestyle.

In this way, they will be able to become agents of social change, embracing the idea of sharing in favor of a sustainable cause, as it is necessary to be a citizen in addition to being a consumer to understand the social role of consumption, as well as to be a citizen

organized in a network to achieve collective causes (Carneiro, 2017). Therefore, the sharing economy is fundamental for mitigating environmental impacts, and can serve as a political discourse for the dissemination of the idea of sustainable consumption.

In addition, the traditional economy of having possession of the product, that is, the basis of capitalist molds, is often related to irresponsible consumption that results in the end of natural resources that are so fundamental to life. The sharing economy emerges to meet this demand between capitalism and socialism, with the idea of valuing the distribution of capital between the ends of this market (Ribeiro, 2017).

In this area, the new consumer trend is associated with Belk's statement (2013, p. 3), reinforced in the following sentence: "[...] Instead of buying and owning things, consumers want to have access to goods and prefer to pay for the experience of accessing them temporarily." But can this be applied to real situations and businesses? Platforms such as Uber, Airbnb, Blablacar, among others, show that it is, considering that society has started to internalize and generate, through its connections, a culture of sharing that started with content and today generates business.

It is important to note that sharing in the past was based on relationships of trust, that is, friends and family. Currently, sharing makes use of digital technologies, evaluations, that is, the platforms themselves, and, thus, technology has allowed fabulous gains of scale for the sharing economy and entrepreneurial activity in the digital market. Faced with these reasons, Sundararajan (2018) uses the expression 'crowd capitalism' to describe this reality.

According to Stephany (2015 apud Sundararajan, 2018, p. 58), "[...] The sharing economy is the value of making underutilized goods accessible online to a community, leading to fewer possessions of such goods." Some authors argue that society is experiencing a new economic model, which combines elements of older systems, which were marginalized by capitalism, but now gain relevance with the support of digital technologies.

Thus, the sharing economy brings sustainability as a long-term objective, as well as greater dependence on social rather than economic indicators to facilitate the organization of economic activity, and hybrid systems are increasingly common in which the distinction between commercial and shared is less and less defined. The role of social indicators is basically the construction of trust or a digital community that enables economic exchanges, with the emergence of a third way: shared production based on common resources.

Studies carried out by Airbnb, an emblematic company of the collaborative economy in the lodging sector, indicate that, in a single year, its accommodation sharing platform generates water savings equivalent to the volume of 270 Olympic swimming pools (Rubicon, 2015). The collaborative economy, by its essence, seeks to reduce the demand for the production of goods, resulting in a decrease in energy consumption and extraction of natural resources. (Pereira and Silva, 2017).

Furthermore, with regard to the transport sector, specifically, in addition to vehicle sharing, enterprises inserted in the sharing economy promote the reduction of congestion and, consequently, CO2 emissions.

PRECARIOUSNESS AND INTENSIFICATION OF WORK UNDER THE ASPECT OF HUMAN RIGHTS AND SUSTAINABILITY: THE CASE OF *UBER*

The consequences of providing services through digital platforms go beyond sociological or socioeconomic issues, as they initially raise questions about the legal *status* of service providers, in the sense of delimiting the type of bond that connects the service provider to the virtual platform.

In practice, *Uber* has been bringing enormous benefits to customers/users of these platforms, reducing spatial-temporal limitations in economic relations, at a more competitive price. However, on the other hand, the list of negative social effects is extensive, such as the very dehumanization of work, based on the conditions of invisibility that the entire transaction develops, generating a "[...] process of fragmentation, individualization and precariousness of labor relations" (Vicente, 2018).

Uberization is a new model of capitalist exploitation, intrinsically related to the new forms of communication and information, which is based on the precarious and on-demand hiring of workers formally labeled as self-employed, with payment by piece or task and control by programming. Such a reality has existed for decades in the most diverse areas, such as health, technology, journalism, law, with the main characteristic being the hiring of workers with a fictitious autonomy, usually through CNPJ or MEI, as is the case of partner salons and autonomous cargo carriers, excluding them from labor protection, including with the seal of the Judiciary. In other words, it is a way of masking the requirement of personality inherent to labor relations, imposing as an indispensable condition that the service provider constitutes itself as a legal entity, which is called 'pejotização'.

Platformization, on the other hand, can be understood as uberized work commanded and controlled through digital platforms, through which the controlling companies do not create a new type of work organization, but simply use a technological structure that allows them to deepen the process in a more efficient and expanded way, with the possibility – and intention – of forming monopolies in their business areas. It is this technology that allows uberization on a large scale, as is the case today.

In fact, these two processes go hand in hand with a broader one: the digitalization of society, which reflects the intensive use of electronic processing in all spheres of life: love relationships, health, communication, work, consumption, entertainment, private or public services, or even in the way of production (the so-called 'Industry 4.0').

The uberized way of organizing and remunerating the workforce distances itself from the regularity of formal wage-earning, generally accompanied by the guarantee of social and labor rights. Working hours often longer than eight, ten, twelve or more hours a day, often without a weekly day off; perceiving low wages, experiencing layoffs without any justification; bearing the costs of maintaining vehicles, motorcycles, bicycles, cell phones, equipment, etc. – it seems that multiple experiments are beginning to be developed in the laboratories of capital that can be generalized, after the pandemic, to a wide range of work, in the most distinct activities, intensifying the process of digital slavery (Antunes, 2020, p. 20).

Service providers such as *Uber* drivers are bound by a set of rules defined by the platform, in the way they provide the service and are permanently monitored through the application. On the other hand, the managing entities of the platforms trust the customers' evaluations of the *performance* of the providers, which ends up revealing itself as a form of private control.

Firstly, the provision of work through platforms has an impact on the remuneration earned by providers. The dynamics of the business is to accumulate a large number of service providers and customers, generating unbridled competition, allowing for increasingly lower wages and, as a corollary, leading workers to practice an excessive number of hours, with harmful effects on their own health and on society in general. In this vein, according to Vicente (2018, p. 86), "[...] At the same time, it is noted that the condition of work in platform economies tends to restrict the space for the construction and accumulation of skills since the constituent elements of relationships managed through platforms are the fragmentation of activities, intermittency, the logic of provision and the

isolation of other providers, all of which are obstacles to the accumulation of experiences, specific knowledge and skills", so that this whole movement generates a growing dehumanization and deterioration of the quality of work.

In this way, workers practice extremely long working hours when they are on standby waiting for a call for long hours, in the eagerness to survive or even to increase the family income, receiving only for the hour actually worked. Therefore, informal work and the digital world have been increasingly allowing individual and invisible work, hindering collective actions and union resistance, obliterating labor and social rights.

Thus, the uberized have a way of life almost analogous to slavery that has consequences not only for the worker, but also for his family, such as the suffering of the children who are waiting for their parent. Therefore, they find themselves in a situation of greater scourge in countries of peripheral capitalism such as Brazil, waiting for recognition of their rights. Therefore, "[...] The uberized working and living conditions are waiting. One wonders what it means to wait, when what one is without a game is survival" (Major; Vidigal, 2022, [n.p.]).

That said, it is essential to consider the health of these workers, with emphasis on the psychic suffering resulting from the constant waiting for paid calls and the search for better working and living conditions, aggravated by the exclusion of rights and the absence of protection in relation to the limits of the working day in uberized work, subjected to the despotism of platforms and applications.

BRIEF HISTORY OF UBER

Uber is a company founded in 2009 by Garrett Camp and Travis Kalanick, in the city of San Francisco, United States, with the initial proposal of acting according to the concept of sharing, as a service similar to taxis, but offered by private drivers instead of professional drivers. However, it is important to clarify that *Uber* classifies itself as a technology company and not a transportation company. In addition, its application, used on mobile devices, was launched in 2010 and became one of the pioneers in the concept of *e-hailing* (requesting a taxi or transportation through electronic devices, usually *a smartphone*). Currently, the company operates in more than 10 thousand cities on the planet, according to information available on its *website* (Uber, 2024) The arrival of the *Uber* app in Brazil, in 2014, in Rio de Janeiro, on the eve of the World Cup, caused repercussions in society. Its main objective is to facilitate people's movement through a cell phone application, allowing

the user to find the nearest driver and calculate the value of the ride, making the payment in a practical and safe way.

For consumers, free competition brings benefits, since economic agents, seeking to stand out in a competitive market, improve their techniques, offers and offer fairer prices. In this sense, *Uber* has been a great driver of urban mobility in large centers. In addition, the advantages of working through the platform stand out, such as flexible hours, the absence of subordination, and the possibility of seasonal work, among others.

According to Pereira and Silva (2017, [n.p.]), *Uber* has characteristics inherent to the sharing economy and contributes to it in three aspects: (1) the use of a digital platform that enables the composition of a community and the execution of peer-to-peer transactions; (2) promotes the use of idle assets; and (3) the generation of extra income, from the perspective of supply, and economy, from the perspective of demand.

In other words, it is observed that there are significant contributions in the three dimensions of sustainability: environmental, economic and social. This occurs by reducing consumption and waste generation through the optimized use of the vehicle fleet, by generating economic benefits for all involved (drivers, users and the company itself) and by fostering the creation of social capital, manifested in the form of a digital community that shares common goals and values aligned with the collaborative economy.

NEED FOR LEGAL PROTECTION OF UBERIZED WORKERS

New technologies have resignified work, so that the legal norm has partially distanced itself from this founding of the social being (Souto Maior, 2021, p. 118). However, crowd capitalism can radically transform what is meant by employment.

In this sense, Bauman (2017) argues that social security structures, traditionally underpinned by corporate jobs, are being questioned due to changes in forms of work and economic relations, whose transformations alter the way people trust each other and affect access to social opportunities.

The future of work may bring less reliable benefits and a degree of uncertainty about the next paycheck. However, perhaps the flexibility and fluidity of hiring through digital platforms instead of a fixed job can be empowered, given the need for the individual to perform other activities, such as domestic activities, for example. This reality raises questions about the application of labor law institutes and the regulation of the labor market. In this context, it should be clarified that the sharing economy encompasses, in

general terms, two main forms of work: *crowdwork* and *on-demand* work through apps.

Thus, Kalil (2017, p. 240) clarifies that the crowdwork modality:

[...] refers to activities that involve carrying out tasks through online platforms, which put various organizations and individuals in contact with other organizations and individuals through the internet, allowing consumers and workers from all over the world to come together. There is supply and demand for specific products and services to meet the needs of customers who pay for the execution of the tasks performed.

An example of the aforementioned modality is the American multinational company *Amazon*, which offers the execution of 'human intelligence tasks', so that, when accessing the page, it is possible to register as a requester or supplier.

On-demand *work* through applications is related to the execution of traditional work activities, such as transportation and cleaning, as well as administrative and office tasks, whose services are offered through an application, which establishes and guarantees a minimum standard of quality in the performance of the work, as well as selects and manages the workforce, all according to the reviews. In this sense, it is imperative to question: will we live in a world of empowered entrepreneurs or will there be helpless digital workers, running from one platform to another in search of the next gig?

In view of the modernization of work instruments, it is necessary to expand labor law, enabling normative adaptation, considering that it needs to keep up with social changes. Basically, the issue itself is new and deserves to be revisited the problem of delimiting the boundaries of the employment contract and, therefore, within the scope of the application of labour procedural law, in order to ascertain whether it constitutes an employment contract or provision of services and what legal protection should be granted in the employment relationship. In any case, *Uber* intends to exempt itself from any responsibility by declaring that it does not provide transportation service, acting as a mere intermediary between the passenger and the transportation service provider, however, in practice, the principle of the primacy of reality must prevail to ascertain the factual situation.

The lack of adequate regulation and the precariousness of working conditions for drivers underscore the urgent need for policies and interventions that ensure the protection of workers' rights and promote, above all, socioeconomic sustainability. Solutions must involve a concerted effort by governments, businesses, and civil society to create a regulatory framework that protects workers, fosters innovation, and meets long-term sustainability goals. In this north of ideas, Souto Maior (2021, p. 123) points out:

A second way would be the expansion of Labor Law by new legislative frameworks, that is, the expansion of the rule to regulate a third category of worker who would be in a legal situation bordering between a typical employee and a self-employed worker, as is the case of motorcyclists by digital application.

Currently, a Bill (PL No. 12/2024) is pending in the Federal Senate that considers the work of app drivers and drivers of vehicles for the delivery of consumer goods as 'autonomous work by platform', provided that they have full freedom to decide on days, times and periods in which they will connect to the app. In turn, the bill (PL No. 3,055/2021), presented by Senator Acir Gurgacz (PDT-RO), provides for a partnership contract without mandatory payment of social security.

PL No. 12/2024 also establishes the obligation to take out private personal accident insurance (for cases of accidental death, bodily injury, aesthetic damage, and moral damage) and vehicle insurance by the companies involved in these labor relations, at no cost to drivers and conductors. The text also determines that "[...] the contracting of insurance will not exclude the indemnity to which the employer is obliged when it incurs intent or fault" (Congresso Nacional, 2024, [n.p.]).

In fact, the legal framework in the employment relationship, or of occasional subordinate worker, is essential, but the demands go beyond this basic and universal recognition. Following this line of reasoning, it is necessary to go beyond the employment relationship and ensure the recognition of being seen as social subjects, deserving of dignity in terms of social value, and not just numbers. There is also the demand of women drivers not to be exposed to harassment and discrimination in various ways, which was included in the text of the Bill in a generic way, however, in practice, such women are very sexually and morally harassed, requiring a deeper study of the matter. Furthermore, regarding the need for dialogue between drivers, PL No. 12/2024 expressly stated:

Article 6 The exclusion of the worker from the individual private paid passenger transportation application may only occur unilaterally by the application operator in the event of fraud, abuse or misuse of the platform, guaranteeing the right of defense, according to the rules established in the terms of use and in the contracts of adhesion to the platform (National Congress, 2024) (emphasis added).

And, thus, the basic principles that should prevail in the employment relationship were established: I - transparency; II - reduction of risks inherent to work; III elimination of all forms of discrimination, violence and harassment at work; IV - the right to union organization, unionization and collective bargaining; V - abolition of child labor; and VI - elimination of labor analogous to slavery.

Such regulation is a necessity, as platforms need to enable negotiations with drivers and trade unions, preventing the organization of work from being unilaterally dictated and materialized via algorithmic control. Otherwise, the drivers would remain unaware of the criteria of their own competition, inserted in the secrecy of the application's source code, and the boss would continue to present himself as transnational and inaccessible, and the absence of debate forums and the discussion of working conditions by the parties involved would also persist.

Therefore, Bill No. 12/2024 meets the urgencies of platform workers, ensuring basic protections, such as fair wages, the right to defense, and transparency in cases of blocking and cancellation, in addition to the issue of social security, allowing them to enjoy some social security benefits, such as sick pay, maternity pay, death pension, and retirement. However, this project could be more effective by including direct benefits for these workers, such as the creation of mechanisms that facilitate the purchase of vehicles with tax discounts, similar to what happens with taxi drivers. In addition, it would be beneficial to implement support posts, which offer bathrooms and rest areas. However, both bills are unanimous in prohibiting the exclusion, blocking or suspension of a driver unilaterally, without granting the right of defense, in the case of a complaint (fraudulent, illicit or contrary to the law or public order) or complaint (dissatisfaction or unfavorable opinion of the service provided).

CONCLUSION

The present research aimed to evaluate the interface between human rights and sustainability in the sharing economy, focusing on the case of *Uber*, to understand how the company can ensure fair and dignified working conditions for drivers, while maintaining economic viability and contributing to economic sustainability.

Uber has the profile of the sharing economy, entrepreneurship and innovation, in addition to having the best service compared to its main competitors, *99taxi* and *Easytaxi*, which cause dissatisfaction due to their high cost of service.

In fact, sharing is an essential innovation, which directly benefits the consumer by offering a new option, either by price competitiveness or by the quality of service. In this context, *Uber* emerges as an emblematic case of the sharing economy, highlighting the complex intersections between human rights and sustainability.

Regarding electronic monitoring, the work of drivers is shaped by two main factors: the use of surveillance practices by the employer to carry out a soft control of the workers and the adoption of resistance practices by the drivers to confront this system. The constant surveillance promoted by the company produces information asymmetries between drivers and *Uber*, which accesses and controls a large amount of information about workers' experiences.

The lack of adequate regulation and the precariousness of working conditions for drivers accentuate the obliteration of the human rights of uberized workers, so that human labor cannot be considered a mere service, as it would be equivalent to a commodity, contributing greatly to the objectification of the human person. However, minimum workers' rights must be safeguarded.

Regarding the flexibility that work in the sharing economy offers people, it is important to discuss the impact on the lives of workers, considering that, most of the time, it implies the precariousness and intensification of work. Another element that must be taken into account is the need to combine the various improvements for consumers, since the sharing economy has the potential to implement products or services, with the proper remuneration of the worker. However, consumers cannot be prioritized to the detriment of workers.

Thus, the forms of work that emerge in the sharing economy introduce a series of novelties that require greater understanding on the part of labor law enforcers. In this new scenario, although it does not represent a total reinvention of the world of work, it needs to be approached with due attention to its specificities and the changes it brings.

It is essential to avoid both idealizing these innovations and ignoring them, recognizing that the sharing economy has distinct characteristics from traditional forms of work. Ignoring these changes can result in significant losses for the workers involved. The sharing economy should be treated as an integral part of the economy in general, and not as a separate sector, considering that the innovations it presents have the potential to improve people's lives, and it is crucial that these advances do not affect the human rights of workers.

Therefore, it is necessary to find a balance. On the one hand, obstacles that could make beneficial innovations unfeasible must be avoided. On the other hand, it must be ensured that such advances do not result in the deterioration of workers' working and living conditions. It is a matter of harmonizing technological and economic progress with the

protection and well-being of workers, ensuring that everyone can benefit from these changes fairly and equitably. However, one cannot lose sight of the reason for which labor law was created: the establishment of limits to the exploitation of the labor of others.

Finally, Bill No. 12/24, which is awaiting a vote, maintains the private nature of the service and the autonomous employment relationship of drivers, guaranteeing them, on the other hand, minimum rights with regard to fair remuneration and transparency before the large technology corporations that control the applications, that is, it promptly establishes the balance point between technological advancement, which enables a new form of work, and the right of workers, thus enabling economic and social sustainability and urban mobility, favoring consumers.

REFERENCES

1. Antunes, R. (2020). *Uberização, trabalho digital e Indústria 4.0*. São Paulo: Boitempo.
2. Brasil. (2024). Constituição da República Federativa do Brasil, de 05 de outubro de 1988. Brasília, DF: Congresso Nacional. Available at: https://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm Accessed on October 2, 2024.
3. Brasil. (1943). Decreto-lei nº 5.452, de 1 de maio de 1943. Aprova a consolidação das leis do trabalho. Rio de Janeiro, DF: Congresso Nacional. Available at: https://www.planalto.gov.br/ccivil_03/decreto-lei/del5452.htm Accessed on October 7, 2024.
4. Careli, R. de L. (2022). Conceitos básicos sobre a uberização: A necessidade de maior rigor para a compreensão dos fenômenos do século XXI. *Democracia e Direitos Fundamentais*. Available at: <https://direitosfundamentais.org.br/conceitos-basicos-sobre-a-uberizacao-a-necessidade-de-maior-rigor-para-a-compreensao-dos-fenomenos-do-seculo-xxi/> Accessed on October 8, 2024.
5. Castells, M. (2016). *A sociedade em rede*. São Paulo: Paz e Terra.
6. Congresso Nacional. (2024). Projeto de Lei Complementar nº 12, de 5 de março de 2024. Dispõe sobre a relação de trabalho intermediado por empresas operadoras de aplicativos de transporte remunerado privado individual de passageiros em veículos automotores de quatro rodas e estabelece mecanismos de inclusão previdenciária e outros direitos para melhoria das condições de trabalho. Brasília, DF: Congresso Nacional. Available at: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2419243&fichaAmiga=nao> Accessed on October 8, 2024.
7. Congresso Nacional. (2024). Projeto de Lei nº 536, de 4 de março de 2024. Regulamenta a profissão de Motorista Autônomo de Serviços de Mobilidade Urbana e dá outras providências. Brasília, DF: Congresso Nacional. Available at: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2419137> Accessed on October 8, 2024.
8. Congresso Nacional. (2021). Projeto de Lei nº 3055, de 2021. Altera a Consolidação das Leis do Trabalho (CLT), aprovada pelo Decreto-Lei nº 5.452, de 1º de maio de 1943 para dispor sobre as relações de trabalho entre as empresas operadoras de aplicativos ou outras plataformas eletrônicas de comunicação em rede e os condutores de veículos de transporte de passageiros ou de entrega de bens de consumo, e dá outras providências. Brasília, DF: Congresso Nacional. Available at: <https://www25.senado.leg.br/web/atividade/materias/-/materia/149697> Accessed on January 29, 2024.
9. Han, B.-C. (2022). *Infocracia: Digitalização e a crise da democracia*. Petrópolis: Editora Vozes.
10. Kalil, R. B. (2017). *Direito do trabalho e economia de compartilhamento: Apontamentos iniciais*. Curitiba: Juruá.
11. Leme, A. C. R. (2022). *De vidas e vínculos: As lutas dos motoristas plataformizados por reconhecimento, redistribuição e representação no Brasil [Doctoral dissertation, Universidade Federal de Minas Gerais]*. Available at: https://repositorio.ufmg.br/bitstream/1843/45117/3/Tese_Ana_Carolina_Reis_Paes_Leme_ufmg%20-%20deposito-novo.pdf Accessed on October 10, 2024.

12. Machado, S., & Zanoni, A. P. (2022). O trabalho controlado por plataformas digitais: Dimensões, perfis e direitos. Curitiba: UFPR, Clínica Direito do Trabalho.
13. Marconi, M. de A., & Lakatos, E. M. (2002). Técnicas de pesquisa (5th ed.). São Paulo: Atlas.
14. Marques, R. S. (2007). O valor social do trabalho na ordem econômica, na Constituição Brasileira de 1988. São Paulo: Ltr.
15. Martins, S. P. (2022). Direito do trabalho. São Paulo: Atlas.
16. Pereira, C. V. R., & Belmonte, A. A. (2021). Análise sobre inclusão da pessoa com deficiência no mercado de trabalho. Revista de Direito, Trabalho, Sociedade e Cidadania, 11(11), 65-82. Available at: <https://revista.iesb.br/revista/index.php/ojsiesb/article/view/132> Accessed on September 10, 2024.
17. Saraiva, R., & Renzeti, R. (2023). Consolidação das Leis do Trabalho: 38º Exame de Ordem (33rd ed.). Salvador: Jus Podivm.
18. Schwab, K. (2016). A quarta revolução industrial. São Paulo: EDUPRO.
19. Silveira, A. B. (2017). Economia colaborativa: Uma revisão sobre as abordagens utilizadas na academia. Desenvolve: Revista de Gestão do Unilasalle, 6(2), 143-161. Available at: https://www.researchgate.net/publication/318391200_Economia_colaborativa_reflexoes_a_partir_da_literatura/link/5e1a2df24585159aa4c8b82c/download?_tp=eyJjb250ZXh0Ijp7ImZpbnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uIn19 Accessed on October 10, 2024.
20. Souto Maior, N. (2021). Os infoproletariados: Os limites normativos do direito do trabalho sob a égide da Quarta Revolução Industrial. São Paulo: Mizuno.
21. Souto Maior, N., & Vidigal, V. (2021). Em modo de espera: A condição de trabalho e vida uberizada. Revista Katál, 25(1), 62-73. Available at: <https://www.scielo.br/j/rk/a/VWSTX7d8TZNVyD8sQ4WqLqv/?format=pdf> Accessed on September 30, 2024.
22. Sundararajan, A. (2018). Economia compartilhada: O fim do emprego e a ascensão do capitalismo de multidão. São Paulo: Editora Senac.
23. Suzman, J. (2022). Trabalho: Uma história de como utilizamos o nosso tempo. Da Idade da Pedra à era dos robôs. São Paulo: Vestígio.
24. Vicente, J. N. (2018). Implicações sociais e jurídico-laborais da prestação de serviços através de plataformas virtuais - Breves notas. In P. R. F. Silva (Ed.), A reforma trabalhista: Reflexos da reforma trabalhista no direito do trabalho, no direito processual do trabalho e no direito previdenciário (pp. 86-92). São Paulo: LTR.