

**FROM BURNOUT TO KAROSHI: THE SOCIAL AND SOLIDARITY FUNCTION
OF THE COMPANY IN PROMOTING MENTAL HEALTH**

**DO BURNOUT AO KAROSHI: DA FUNÇÃO SOCIAL E SOLIDÁRIA DA
EMPRESA NA PROMOÇÃO DA SAÚDE MENTAL**

**DEL BURNOUT AL KAROSHI: LA FUNCIÓN SOCIAL Y SOLIDARIA DE LA
EMPRESA EN LA PROMOCIÓN DE LA SALUD MENTAL**



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ABSTRACT

This article analyzes the social and solidarity-based role of companies in promoting mental health, with a focus on the stages of burnout. In a Democratic State governed by the rule of law, companies are essential agents in building healthy and sustainable work environments. Mental health has become central to institutional planning due to its impact on productivity and the economy. Human dignity is thus ensured through effective well-being policies. The study adopts the dialectical-deductive method, based on bibliographic research, legislation, and legal doctrine, and draws on the theoretical frameworks of Bauman and Byung-Chul Han, who discuss liquid modernity and the burnout society.

Keywords: Human Dignity. Democratic Rule of Law. Mental Health. Society. Solidarity.

RESUMO

Este artigo analisa a função social e solidária da empresa na promoção da saúde mental, com foco nos estágios do burnout. No Estado Democrático de Direito, empresas são agentes essenciais na construção de ambientes laborais saudáveis e sustentáveis. A saúde mental tornou-se central nos planejamentos institucionais, dado seu impacto na produtividade e na economia. Garante-se, assim, a dignidade humana por meio de políticas efetivas de bem-estar. Utiliza-se o método dialético-dedutivo, com base em pesquisa bibliográfica, legislação e doutrina, e nos referenciais de Bauman e Byung-Chul Han, que discutem a modernidade líquida e a sociedade do cansaço.

Palavras-chave: Dignidade da Pessoa Humana. Estado Democrático de Direito. Saúde Mental. Sociedade. Solidariedade.

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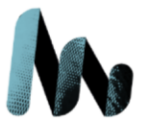
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RESÚMEN

Este artículo analiza la función social y solidaria de la empresa en la promoción de la salud mental, centrándose en las etapas del agotamiento profesional. En el Estado democrático de derecho, las empresas son agentes esenciales en la construcción de entornos laborales saludables y sostenibles. La salud mental se ha convertido en un elemento central de la planificación institucional, dado su impacto en la productividad y la economía. De este modo, se garantiza la dignidad humana mediante políticas de bienestar eficaces. Se utiliza el método dialéctico-deductivo, basado en la investigación bibliográfica, la legislación y la doctrina, y en las referencias de Bauman y Byung-Chul Han, que discuten la modernidad líquida y la sociedad del cansancio.

Palabras clave: Dignidad de la Persona Humana. Estado Democrático de Derecho. Salud Mental. Sociedad. Solidaridad.

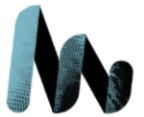


1 INTRODUCTION

The growing incidence of work-related psychic disorders, such as *burnout* and *karoshi*, reflect a deep crisis in the contemporary production model. The physical and mental exhaustion of workers shows a system that imposes excessive demands, naturalizing hyperproductivity to the detriment of well-being. In this context, the company cannot exempt itself from the responsibility of promoting a healthy work environment, as its role transcends the economic sphere and enters the social and solidarity dimension, as recommended by the Democratic Rule of Law. This perspective is supported by article 3, item I, of the Federal Constitution, which establishes as a fundamental objective of the Federative Republic of Brazil the construction of a free, fair and solidary society, also guiding business action in the promotion of the common good.

The present study analyzes the social and solidarity function of the company in the promotion of mental health, considering the challenges imposed by liquid modernity and the performance society. Initially, the concepts of the company's social and solidarity function, its legal foundations and its relevance for the promotion of well-being in the work environment are addressed. Next, the impact of liquid modernity and the society of fatigue on the mental health of workers is discussed, highlighting the precariousness of labor relations and the growth of occupational diseases. Data from the World Health Organization (WHO) reveal that, annually, 12 billion working days are lost due to anxiety and depression, resulting in a global economic loss of almost 1 trillion dollars. An opinion survey conducted by the DataSenado Institute in April 2024 points out that reducing working hours without loss of pay can generate positive impacts on workers' productivity and quality of life. These statistics demonstrate the relevance of the theme and reinforce the need for a broad debate on the promotion of mental health in the workplace.

Methodologically, the research adopts the dialectical-deductive method, which allows a critical analysis of the social and solidary function of the company, contrasting different theoretical and practical perspectives. The theoretical basis is based on authors such as Zygmunt Bauman and Byung-Chul Han, whose reflections on liquid modernity and the performance society offer essential subsidies to understand the current challenges of mental health at work. In addition, the research uses legislative, doctrinal and bibliographic analyses to support the discussion on corporate responsibilities in promoting the well-being of workers. The need for this study is justified in view of the alarming growth in cases of work-related mental disorders, which impact not only individuals, but also productivity and the economy. Professional burnout, resulting from self-exploitation and the pressure for high performance,



demonstrates that the relentless pursuit of extreme performance is unsustainable in the long run.

Free enterprise and the valorization of human work, fundamental principles of the economic order established in article 170 of the Federal Constitution, reinforce the need for a work model that reconciles economic development with the dignity of the human person. Understanding the role of companies in mitigating these impacts is essential for building a more equitable and healthy work environment, which respects the dignity of the human person and promotes a fairer and more supportive society.

Thus, the present study aims to contribute to the debate on the social responsibility of companies in the protection of workers' mental health. By investigating the intersection between the performance society and the solidarity function of the company, it is intended to demonstrate that the promotion of well-being at work is not only a matter of legal compliance, but also an ethical and strategic necessity for the sustainability of labor relations and the economic system itself.

2 THE SOCIAL AND SOLIDARITY FUNCTION IN THE DEMOCRATIC STATE OF LAW

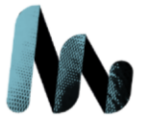
Freedom³ is one of the pillars of constitutionalism and led the conquest for a Democratic State, throughout history, the natural law theory has valued the limitation of state action, stamped as a Leviathan⁴, because at some point it would turn against the creator, to ensure that each individual who makes up society can enjoy all the rights that are innate to them. From this perspective, the State would be the servant of the individual in the construction of a Legal State (Bonavides, 2011, p. 40).

Even before coexisting in society, the idea of the individual being the natural bearer of unlimited freedom makes harmonious and peaceful coexistence in society unfeasible, this being the environment in which man enjoys everything possible. In this sense, the State and sovereignty restricted primitive freedom to a social organization of coexistence, it is, in this way, an apparatus with servitude to Man so that he can achieve his ends in Society.

In contrast to freedom and the Democratic State of Law, absolutism originates in the imposition of restrictions on freedom, with the aim of self-preservation and control of human passions, in the belief that: it is through fear and punishment that benevolence and justice

³ Hobbes defines the meaning of freedom as the absence of opposition, which in turn implies external impediments to movement, applying to all creatures, whether inanimate or not, rational or irrational (Hobbes, 2013, p. 21).

⁴ Leviathan is presented in the Holy Bible, in the Book of Job, chapter 41 verses 1-25, as an implacable and indestructible monster, it was used in Thomas Hobbes' book to represent the State with such power and strength capable of causing terror in men to the point of controlling their passions and natural wills and thus providing peace and defense (Hobbes, 2021, p. 185).



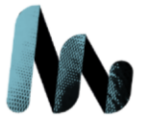
are made, the Absolute State capable of imposing visible rules and linked to the monarch or person chosen to govern, the State was the King and the ways of governing follow the ideologies of the chosen one (Hobbes, 2021, p. 180).

It is in 1789 that ideologies of a State of Law emerge ordered by the bourgeoisie fed up with authoritarianism and the will of its monarchs, it cannot be inferred that this type of State would turn to social issues, certainly its axis was the protection of freedom and law (Bonavides, 2011, p.41), whose victorious combat of the exponent class honored the prevalence of the natural rights of Man over the State, in opposition to Hobbes's theory, whose rights emanated from Leviathan. The French Revolution is a milestone for the consolidation of the Liberal State and the conversion of natural law to civil law with a view to the protection of property and contracts.

In the government's discontent that only stipulates rights and freedoms, without worrying about the effectiveness of the guarantees proclaimed by the bourgeoisie, they give rise to ideas of political participation without class distinction with total participation towards universal suffrage through the rise of the principle of democracy, promoted by the demanding Constitutional Charters regarding the guarantees of the freedom and dignity of the human person (Bonavides, 2011, p. 44). The transformation from the Rule of Law to the Social State begins.

But would state intervention be synonymous with a split between civil society, family and the State? Following this ideology would be the same as admitting that such manifestations would cancel each other out, once punctuated in the same reality, man is inseparable from other men (Grau, 2010, p. 19). Certainly, the fall of liberal capitalism stems from the advent of numerous economic crises resulting from the monopoly of the bourgeoisie combined with the collapse between capital and labor, leading the State to the functions of economic regulation, recognition of the rights of the proletariat and political rights.

The Social State is, from a doctrinal point of view, the only one that aims to coordinate and collaborate in the mitigation of class distancing and capable of promoting social justice and economic peace among men (Bonavides 2011, p.187). By promoting social, economic and cultural rights with a view to mitigating social struggle, it is possible to argue that the social function has premises in the Social State, in that the transcendence of the Rule of Law gives rise to the intersection between individual freedoms that promoted the dignity of the human person and the effectiveness of fundamental rights, there is even a safeguard of solidarity also in the Social State when it is necessary to summon fellow citizens to fulfill constitutional duties (Diniz, p. 39).



The Democratic State of Law and Social that was erected in the face of cultural, legal, social and political metamorphoses is based on the maximum premise in the effectiveness of the social function of law, that is, that the State must act in such a way that laws, institutes and organizations with the purpose of the common good and social coexistence.

But would it be possible to reconcile social guarantees and implement economic development? This is in reality the challenge of the condition of this form of State, the conciliation between the effectiveness of an economic order with respect to the social order, which are inseparable and go beyond those rights pointed out in the second dimension guarantees, thus it is understood that social solidarity implements a duty of observance of equality and confers on citizens the right to diffuse and collective rights.

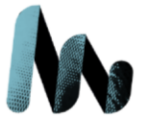
The jurist Celso de Mello, in a judgment of Writ of Mandamus No. 22.164/SP by the Plenary of the Federal Supreme Court, in which issues related to the agrarian reform of properties located in the Pantanal of Mato Grosso were considered, presents, clarifies and distinguishes with mastery about the distinctions and evolutions regarding fundamental rights:

[...] While first-generation rights (civil and political rights) – which comprise classical, negative or formal freedoms – emphasise the principle of freedom and second-generation rights (economic, social and cultural rights) – which are identified with positive, real or concrete freedoms – emphasise the principle of equality, third-generation rights, which materialise powers of collective ownership generically attributed to all social formations, enshrine the principle of solidarity and constitute an important moment in the process of development, expansion and recognition of human rights, characterized as inalienable fundamental values, by the note of an essential inexhaustibility" (STF. Full Court. Rapporteur Justice Celso Mello. 30.10.95).

It cannot be forgotten that the company and the entrepreneur, manifestations of civil society, are necessary and essential actors to achieve the balance between the social and economic orders, the Magna Carta itself, when instituting the economic and financial orders, is based on the valorization of human work and free enterprise with the purpose (function) of ensuring human dignity is regulated in social ⁵justice having as a principle the social function of property, from which not even the public administration escapes.⁶

⁵ Article 170. The economic order, founded on the valorization of human work and free enterprise, aims to ensure a dignified existence for all, according to the dictates of social justice, observing the following principles: [...] social function of property.

⁶ Article 173. Except for the cases provided for in this Constitution, the direct exploitation of economic activity by the State will only be allowed when necessary for the imperatives of national security or for the relevant collective interest, as defined by law. Paragraph 1 - The law shall establish the legal status of the public company, the mixed-capital company and its subsidiaries that explore the economic activity of production or commercialization of goods or provision of services, providing for: (Text given by Constitutional Amendment No. 19, of 1998). I - its social function and forms of inspection by the State and society;



It can be understood that the social function of the Democratic Rule of Law extends beyond the state sphere, also reaching economic and social agents, including the company. The Federal Constitution, by establishing the economic order on the pillars of valuing human work and free enterprise, imposes on business activity a commitment to social justice and the dignity of the human person. Furthermore, by defining the integration of the economic order with social responsibility, the constitutional norm considered the ills resulting from the colonization process, which propagated the hegemonic ideology of unbridled exploitation, resulting in the vulnerability of certain groups and individuals.

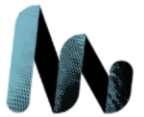
Recognizing the social and solidarity responsibility of the company, from the perspective of its social function, is nothing more than giving effectiveness and putting into practice the objectives of the republic, with regard to sustainable development together with economic growth that promotes the well-being of all Brazilians. In this context, the social and solidarity function of the company emerges as a guiding principle of economic activity, ensuring that its performance is aligned with collective interests and not only with the logic of profit. The evolution of this concept in the legal system reflects the transition from the liberal model to the social model of the State, in which the company is no longer seen only as an instrument of production and accumulation of wealth to assume a shared responsibility in the promotion of social well-being.

2.1 THE SOCIAL FUNCTION OF THE COMPANY

The social function of the company in the Brazilian legal system is a manifestation of the development of the Social State, in which economic activity cannot be limited to the pursuit of profit, but must be committed to the promotion of collective well-being. The 1988 Constitution, by establishing that the economic order is based on the valorization of human work and free enterprise, imposes on the company a role that transcends its merely private dimension, requiring that its actions take place in favor of a common good.

The evolution of the development from the Liberal State to the Social and Democratic Rule of Law reflected the need to balance economic development with the realization of fundamental rights, consolidating the company as an indispensable agent for the construction of a fairer society. Although the Civil Code is not explicit regarding the social function of the company, there is an integrative hermeneutic of the civil codification⁷ with the constitutional

⁷ In this sense, article 421 of the Civil Code establishes that contractual freedom will be exercised within the limits of the social function and provides that no agreement may contradict precepts that ensure the social function of property and contracts in the sole paragraph of article 2,035 and article 1,228, paragraph 1: "the right to property must be exercised in accordance with its economic and social purposes and in such a way that they are preserved, in accordance with the provisions of a special law, the flora, fauna and natural beauty, the ecological balance and the historical and artistic heritage, as well as avoiding air and water pollution".



order and the doctrine. Even if it does not incur in the provisions regarding the social function of the company, it is understood that it is integrated in the continuation of the interpretation of the contract: the company, holder of rights and obligations, is a central character in economic development and free enterprise, there is no way to avoid compliance with social orders, and its activity projects a specification of the obligatory right, governed by the limitation imposed by the social function.

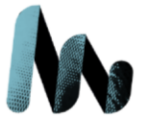
Diniz (2021, 44) disciplines that contractual freedom is limited by the supremacy of public order and the agents of the legal business must act in absolute consonance with good customs and in a subordinate manner to the collective interest. The social function limits the contract, as well as the autonomy of the will, by state intervention, to meet the economic and social functions of business acts, also extending to companies, whose definition is: "The exercise by the company's manager by shares of the legal and statutory attributions for the achievement of the purposes and interest of the company, using his power in order to achieve the satisfaction of the requirements of the common good" (Diniz, 1998, p. 613).

The social function of the company can be established as a power-duty that links the entrepreneur and the business activity to the common interest, with positive negative duties, revealing the submission to the autonomy of the will of the individual to the social interest⁸. It is, in the Brazilian legal system, a manifestation of the very development of the Social State, in which economic activity is not limited to the pursuit of profit, but is committed to the promotion of the well-being of all. The 1988 Constitution, by establishing that the economic order is based on the valorization of human work and free enterprise, imposes on the company a role that transcends its merely private dimension, requiring that its performance observe principles such as social justice, the defense of the environment and the reduction of inequalities.

It is understood that the social function of the company is not limited to a purely legal perspective, but involves economic and social aspects that directly impact the structuring of the market and the distribution of wealth. The entrepreneur, when carrying out his activity, must observe the collective interest, ensuring that his performance is aligned not only with profitability, but also with sustainable social development.

In this way, the integrative hermeneutics of the legal system allows the social function of the company to be interpreted in a way that harmonizes the principles of civil law with constitutional values. Although the Civil Code is not explicit about the social function of the

⁸ Article 50 of the Civil Code, by establishing the possibility of piercing the corporate veil for the deviation of purpose, for the injury to the rights of third parties with the use of the company, imposes a limitation on the action of entrepreneurs and managers.



company, its reading must occur in a systematic way with the Federal Constitution, reinforcing the need for a commitment of business organizations to the common good.

2.2 THE COMPANY'S SOLIDARY FUNCTION

Solidarity has been present in humanity since its beginnings, given that man does not live alone (*uti socius*), the Modern and Globalized State, by incorporating a broader commitment, includes functions that go beyond those purely economic and include a destination of actions by business organizations to reach the collective. It is a paradigm that not only recognizes the interdependence between business and society, but also reinforces shared responsibility for economic and social development. (Diniz, 2008, p. 39).

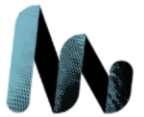
Beck (2009, p. 23-57) states that the social production of wealth accompanies in a systemic way a social production of risks, that is, that the economy is no longer focused on guaranteeing freedom, but rather on the solution of problems arising from technical-economic development. These civilizational risks reach a plurality of interests and initiatives of civil society marked by solidarity in resolving risks and threats to the collective. There is a model of immunological society in the risk society.

From this point of view, the company's solidary function means that its impacts must be evaluated not only from the perspective of the market, but also considering the reflections on fundamental rights, the dignity of the human person and sustainability. In this sense, Maria de Fátima Ribeiro doctrine:

The developed State is marked by the harmonious structure between the standard of modernization and the protection of collective values. Thus, growth is sought at the same time, with the freedom of economic activities, as long as this coexists with the protection of the consumer and the environment (Ribeiro, 2013, pp 223-250)

The company ceases to be an isolated subject within the economic system to become an agent of social transformation, whose decisions directly impact communities, workers and the environment in a sense of welcoming. Diniz (2008, p. 40) explains Erhard Denniger's text: modern society undergoes mutations in the principles inherited from liberalism, marked by the French Revolution, based on constitutional paradigms and on the security provided by freedom, diversity, equality and solidarity instead of fraternity. Solidarity as a foundation of fraternity gives rise to the participation of companies as transformers in society to achieve full development going beyond the functions inherent to second-generation fundamental rights, it gives rise to responsibility

The Federal Constitution points to solidarity as one of the objectives to build a free and fair society, reinforcing this perspective by establishing that economic activity must be aligned



with the promotion of economic development and with the quality of life worthy of the citizen. This implies that companies must adopt practices that promote inclusion, diversity, respect for human rights, and the reduction of socioeconomic inequalities.

The company's solidarity function reflects a commitment that goes beyond legal obligations, based on ethics and social cooperation. This paradigm requires that business activity be aligned with inclusion, sustainability, and the reduction of inequalities. In this way, the company not only plays its economic role, but also contributes to the construction of a fairer and more balanced society.

3 THE SOCIETY OF FATIGUE AND MENTAL HEALTH AT WORK - PRECARIOUSNESS OF LABOR RELATIONS DUE TO THE FLUIDITY OF CONNECTIONS

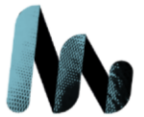
Society has undergone profound changes due to modernity and technological advances, if it was once bent in a society focused on issues of collective predominance and, therefore, characterized by the disciplinary power that shaped its morality, it is currently governed by fatigue and fluidity. Would liquid modernity be the cause of the exhaustion of the individuals who make up the society of tiredness? In this topic, we evaluate mental health from the perspective of fatigue and how liquid modernity has made the connections of individuals in the labor market more precarious.

Han (2015, p. 16) defines that twenty-first century society is no longer governed by the model established by Foucault, that is, the disciplinary model, so that individuals are no longer subjects of obedience, governed by negativity because it is linked to prohibiting/duty, but rather the positivity of power. For Foucault (2014, p. 164) discipline is inherent to the resourceful body and permeates the mechanisms for it to become obedient and useful, it is capable of ensuring greater dominion over one's own body, hence negativity, which is made by the policies of coercion as a work on the body, making it docile⁹.

Instead of hospitals, prisons, factories and barracks, important departments for the disciplinary society, in the post-modern society called the performance society, the walls are extinguished and give way to gyms, offices, airports, shopping malls and genetic laboratories.

This society of performance is governed by positivity and the self prevails over the collective. However, this does not preclude penalties; they just go beyond the traditional limits

⁹ Discipline increases the strengths of the body (in economic terms of utility) and decreases those same forces (in political terms of obedience). In short: it dissociates power from the body; it makes it, on the one hand, an "aptitude", a "capacity" that seeks to increase; and, on the other hand, it inverts the energy, the force that could result from it, and makes it a relation of strict subjection. If economic exploitation separates force and product from labor, **it can be said that disciplinary coercion** establishes in the body the coercive link between **an increased aptitude** and an **increased domination**. (FOUCAULT, Michael. Watch and Punish. Birth of the Prison. Introduction by António Fernando Cascais. Lisbon-Portugal. Publisher 70. 2014)



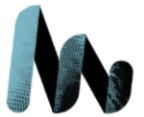
of duty. Extreme positivity can be understood as the of liberation, deregulation, suppression of limits, this rise destroys negativity and gives rise to the origin of the ills of the postmodern world marked by exaggeration and excesses (Han, 2017, p. 95).

Postmodern society is not immunological, but neural-psychic, as a result of overproduction, overperformance, overconsumption, overinformation and overcommunication, in this way, the individual's struggle does not take place with others, it is against the internal self, Han (2017, p. 98) highlights that a global burnout would put an end to a war without enemies as a way of exemplifying that this pathology would be a form of implosion of the system, caused by the pressure of positivity and exaggerations that result from it. In this society of excesses, the individual is an entrepreneur of himself and, in the search for his individuality and being unique, they end up composing a whole and resemble each other, Bauman (2007, p. 26) explains that individuality refers to the group spirit. A constant search for the maximization of production naturally becomes the social unconscious (Han, 2015, p. 39).

There is no way to dissociate the maximization and exaggerations, which make up the society of tiredness, from Bauman's liquid modernity, because the search for performance gives rise¹⁰ to speed, indeed liquid-modernity causes an action of its individuals in less time. In this way, habits and traditions are not consolidated, which makes a life of insecurities. The fundamental principle inherent in liberty is, in modern times, related to that of security. In this fluidity without final goals and with transience, humanity has lost faith in its reality, to the point that postmodern man has hurt himself. Bauman (2007, p. 68) states that time flows instead of marching, but there is no why or final goal, given that each moment lived precedes a new beginning.

In view of this, there is no way to guarantee stability in relationships, certainly everything is constantly changing, and therefore, expectations regarding all aspects of life are under quicksand, this includes employment relationships, companies, the spaces that individuals occupy in society. The intersection of Han and Bauman's reflections on modern society is in the exacerbated optimism that impacts the beings who live under the tensions of everything quickly fading away and, at the same time, the maximization of production, because postmodern society is reduced to the consumption and fulfillment of desires without any purpose, its subjects of performance, By the excess of positivity, even self-sovereigns, lose control and submit to free coercion.

¹⁰ Bauman introduces the chapter "On Life in a Liquid-Modern World" with the epilogue: "When you skate on thin ice, safety is in speed". (BAUMAN, Zygmunt. Liquid life. Translated by carlos Alberto Medeiros. Editora Zahar, Rio de Janeiro, 2007, p. 7).



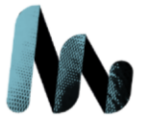
If the phrase with engagement is disseminated in society: "work, while they sleep", there is no law that forces man to work until exhaustion, on the contrary, decent work is a fundamental right. Why is society increasingly ill due to the extreme fatigue that leads people to death? Han (2015, p. 19) explains that this performance society is intensified by self-exploitation, as the performance subject is exploitative and exploited without a distinction of facts, which causes the psychic illness of society, which is a pathological manifestation as a result of a paradoxical freedom. There is a depression caused by the "entrepreneurial self".

The self-exploitation and overloads in which the performance man is inserted gives rise to the ability to multitask, this being a setback, as it would return to the state of savagery of society, in remote times man needed this technique to maintain his subsistence. Multitasking involves extreme attention to the excess of stimuli, information and extreme impulses (Han, 2015, p. 21), postmodern society is affected by frenetic time that has changed the form of interaction, just like a wild animal, man needs to be always alert, instead of seeking well-being and harmony in his relationships, in a state of continuous survival.

The constant state of alert also transforms the work environment, which should be balanced and harmonious in order to provide a healthy quality of life, to a hostile environment, in which moral harassment becomes endemic. The predatory and competitive logic wears down individuals, making them more vulnerable to stress and mental exhaustion, which reinforces the precariousness of social and work relationships. The performance society, by exacerbating positivity and encouraging self-exploitation, weakens the mental health of individuals and makes work relations more precarious.

The fluidity of connections imposed by liquid modernity makes it impossible to consolidate solid bonds and generates a scenario of permanent insecurity. In this context, work ceases to be a space of fulfillment and becomes an environment of exhaustion, in which overload and pressure for maximum performance transform subjects into exploiters of themselves.

The globalization process and multilateralism value economic growth and the signing of contracts in more than real time. With the evolution of technologies, innovation occurs in record time, so that it is humanly impossible to keep up with them at the same pace. Thus, in order to stand out in the market and not miss possible opportunities considered lucrative, companies - in the classic sense of the definition - promote typical terror in the development of their products and services, consuming, rather than exploiting, those who work in their corresponding locus, supported by legislative interpretations that privilege economic sectors and maintain the *status quo* of power.



Mental illness, resulting from this productive model, is not an individual failure, but a structural symptom of a system that naturalizes hyper-competitiveness and incessant productivity. Thus, the search for a balance between work and mental health requires a deep questioning of the bases of this model and the construction of alternatives that rescue the dignity and well-being of workers.

4 FROM *BURNOUT* TO *KAROSHI/KAROJISATSU* AS SYMPTOMS OF AN UNSUSTAINABLE PRODUCTION MODEL

The performance society, by transforming freedom into a paradoxical imposition, leads individuals to a state of extreme exhaustion, in which burnout becomes a structural and global condition. The demand for continuous high performance, combined with the fluidity of connections and the pressure to succeed, creates an environment of self-exploration, in which each subject simultaneously becomes boss and employee of himself. In this scenario, everything seems possible, but the overload and lack of limits make the realization unfeasible, generating frustration, anxiety and psychic illness that can reach the extreme as in the cases of *Karoshi* and or *Karojisatsu*.

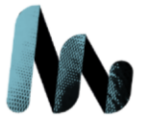
The twenty-first century is characterized by the increase in neural diseases, such as depression, burnout, attention deficit hyperactivity disorder and personality disorders. As previously discussed, the performance society is marked by psychic infarctions, including *burnout*.

According to Han (2015, p.18), the manifestation of the soul consumed¹¹ by the imperative of performance in the post-modern society of work, *karojisatsu* is related to burnout, which expresses mental fatigue caused by excess or associated with the work environment (suicide) and *karoshi*, which expresses a sudden death due to physical and psychic exhaustion.

The term *karoshi* originates from the Japanese language, in which *karo* means overwork and *shi* corresponds to death. In the workplace, this expression has come to be used to describe cases of sudden death resulting from professional overload. Chehab, meaning death through work, when analyzing the origin and concept of *karoshi* from the translation of Tetsunojo Uehata's pioneering study, highlights that it is a

[...] a condition in which psychologically unhealthy work processes can lead to a path that interrupts the worker's normal rhythm of life, leading to an accumulation of fatigue in the body, accompanied by a worsening of preexisting hypertension and a hardening of the arteries, finally resulting in a fatal collapse (2013, p. 154).

¹¹ Term Burnout: derived from the English verb to burn out: "to burn out completely" or "to consume oneself"



While burnout and *karoshi* are already widely debated in the context of extreme professional exhaustion, *karojisatsu* remains an underexplored phenomenon despite its severe implications. The term refers to suicide induced by overwork and prolonged stress in the work environment. Unlike *karoshi*, which manifests itself as a sudden death caused by extreme physical conditions, *karojisatsu* is part of a deeper psychological dimension, in which emotional exhaustion and unsustainable pressure lead the worker to absolute despair, representing an even more serious stage of work-related mental exhaustion, in addition to burnout, as a complete rupture of the ability to deal with the psychological load imposed by the model productive contemporary.

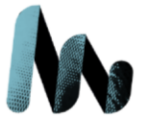
Both are symptoms of an exhaustive production model, which disregards the physical and mental limits of workers, leading them to extreme states of illness and, in more serious cases, death. These pathologies, with rise in society, require collective attention from agents, especially because they include precepts related to life, health and work.

4.1 THE ROLE OF THE COMPANY IN PROMOTING MENTAL HEALTH IN MODERN SOCIETY

The World Health Organization (WHO) defines burnout syndrome as a chronic emotional tension experienced by the worker and has the following characteristics: emotional exhaustion, depersonalization and low emotional fulfillment. In 2022 it was included in the 11th revision of the International Classification of Diseases (ICD-10).¹² In fact, the promotion of mental health is part of the UN's sustainable development goals 3 and 8, which are concerned with decent work and economic growth, health and well-being.

In a report released by the WHO in 2022, worrying data on the mental health of the working population were presented. It has been estimated that 12 billion working days are lost due to anxiety and depression, resulting in a global economic loss of nearly \$1 trillion. Here we recall the quote from Han (2015), that global burnout emerges as an inevitable consequence of this unsustainable production model, representing not only individual collapse, but the implosion of a system that naturalizes hyperproductivity and ignores fundamental human needs. Faced with the imminence of global collapse, the WHO presented recommendations to resolve the problems faced by the illness of workers in order to promote the improvement of labor relations and well-being of workers,

¹² Burnout is a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed. It is characterized by three dimensions: feelings of energy depletion or exhaustion, increased mental distance from one's work, or feelings of negativity or cynicism related to one's work; and reduced professional effectiveness (WHO, 2022)



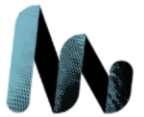
In Brazil, burnout syndrome was included in the Social Security Regulation by Decree No. 6.042/2007 as a pathogenic agent that causes occupational or occupational diseases, in addition to promoting the rights of those affected by the pathology, relates responsibility to society that should finance social security. The decree determines that the risks evaluated in the accident prevention factor (FAP) impact the reduction or increase of rates regarding the social contributions due by the company.

On May 26, 2025, a provision inserted in the Regulatory Standard of the Ministry of Labor (NR-01) that provides for the management of occupational risks of work-related psychosocial risk factors came into force. And Bill 1,105 of 2023 is being voted on, which provides for the reduction of hours worked daily or weekly without loss of remuneration. According to the opinion survey prepared by the Datasenado Institute in April 2024, this reduction has concrete impacts on greater productivity and improvement in the quality of life of workers.¹³

In the same bias of promoting and protecting mental health in labor relations, Law No. 14,831, of 2024, instituted certification for companies that stand out in the promotion of mental health. To obtain the certificate, actions and policies must be developed that meet various guidelines, such as offering access to psychological and psychiatric support resources, promoting awareness campaigns on the importance of mental health, training for leaders, combating discrimination and harassment in all forms. It requires the promotion of incentives for the well-being of workers, offering a safe and healthy work environment, with a balance between personal and professional life, fostering healthy habits and adopting integrative organizational communication.

The reconsideration of the work schedule represents a greater possibility of leisure, human development, and the so-called "Contemplative Boredom" (Nietzsche, 2001) to highlight the importance of inaction, as a propeller of creation itself. As a result of hyperactivity at work, there is the need to take advantage of free time, with the exacerbated consumption of media content, leading to hyperconnectivity, without creative and contemplative space, only the eagerness to have and want. The protection of mental health transcends the individual sphere and must be treated as a collective issue, addressed through public policies and the performance of different social agents, with respect to the existential psychic minimum, the engagement of companies in mitigating the impacts of hyperproductivity is required.

¹³ The survey presented data that revealed that 85% of Brazilians believe that the reduction of hours worked provides more quality of life and 78% believe that they would maintain the quality of work. (Available at: <https://www12.senado.leg.br/noticias/infomaterias/2024/07/senado-analisa-propostas-de-reducao-da-jornada-de-trabalho>. Accessed on: 02 Feb. 2025)



Corporate solidarity plays an essential role in promoting mental health, ensuring protection against excessive exploitation and promoting more balanced employment relationships. This responsibility is not restricted to the State, but must be assumed by citizens and organizations, extending beyond legal limits and incorporating ethical and social principles.

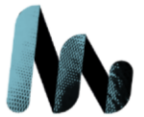
In short, the company's solidary function in promoting mental health goes beyond the fulfillment of legal obligations, configuring itself as an ethical and social commitment essential to collective well-being. By adopting prevention policies, offering psychological support, and promoting work environments that respect work-life balance, organizations mitigate the impacts of burnout and contribute to building a fairer and healthier society.

5 CONCLUSION

The analysis of the relationship between the performance society and the solidary function of the company reveals a central paradox of liquid modernity: the extreme valuation of productivity and individual autonomy has led to an increase in occupational diseases and the impairment of workers' mental health. This is because liquid modernity dissolves the certainties and stability that once sustained social and economic relations. This phenomenon generates a sense of insecurity and precariousness, in which individuals are pressured to continuously adapt to remain competitive, leading them to perform. In the work context, this logic imposes a culture of hyperflexibility and absolute availability, resulting in the dilution of the boundaries between work and personal life.

The paradox is established when, in the incessant search for autonomy and personal fulfillment at work, individuals end up trapped in a cycle of exhaustion and anxiety, contradicting the very ideal of freedom that modernity promised. The current productive model, by transforming individuals into managers of themselves with the imposition of high performance, fosters self-exploitation and creates an environment in which burnout and *karoshi* cease to be exceptions and become systematic phenomena that contribute to a collapse of individuals and structural in society.

It is imperative that companies take an active role in promoting the mental health of their employees, fulfilling their solidarity function by adopting practices that benefit not only productivity and collective well-being, in addition to compliance with legal standards, including the ethical commitment to a humanized, equitable and sustainable environment, in which workers are protected against excessive exploitation and have access to dignified conditions of action.



The social and solidarity function of the company should be seen as a fundamental commitment, in line with the principles of the Democratic Rule of Law, which aims to ensure decent and balanced working conditions, incorporating constitutional values such as the promotion of social justice and the protection of human dignity.

The company not only contributes to economic development, but also plays an essential role in building a more egalitarian and cohesive society, in which the fundamental rights of workers are fully respected and enforced. Measures such as the implementation of welfare policies, the flexibility of working hours, and the fight against moral harassment are essential to ensure a dignified and balanced work environment.

The understanding that workers' mental health is not just an individual problem, but a social issue, reinforces the need for a collective commitment in the search for sustainable solutions. Liquid modernity imposes unprecedented challenges, but it also opens space for new forms of work organization, more inclusive and supportive. In this sense, companies have a crucial role in redefining labor relations, ensuring that economic development goes hand in hand with the preservation of human dignity.

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