

Digital Labor and Social Protection in Brazil: the Social Security invisibility in the Age of platforms and telework

Trabalho Digital e Proteção Social no Brasil: a invisibilidade previdenciária na Era das plataformas e do teletrabalho

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ABSTRACT: This article critically examines the impacts of platform-based labor and telework on the Brazilian social protection system, with a particular focus on the social security exclusion of workers engaged in these new forms of service provision. Adopting a qualitative and exploratory approach, supported by bibliographic, legal, jurisprudential, and statistical analysis, the study demonstrates that the traditional social security model fails to provide adequate coverage for platform workers. The absence of specific regulation, combined with judicial reluctance to recognize employment relationships, has intensified informality and contributed to the erosion of labor protections. The research advocates for the revision of the current legal framework and the creation of intermediary legal categories, consistent with the constitutional principles of human dignity, universal coverage, and the social value of labor. These measures are essential to address the challenges posed by the Fifth Industrial Revolution and to promote an inclusive digital society. The study concludes that the effectiveness of social protection in Brazil depends on building a new normative pact that reconciles technological innovation, sustainability, and social justice.

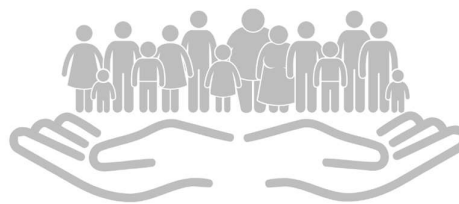
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Keywords: Digital labor. Platform economy. Social protection. Social security. Algorithmic subordination. Industry 5.0.

RESUMO: O presente artigo analisa criticamente os impactos da economia de plataformas e do teletrabalho sobre o sistema de proteção social brasileiro, com ênfase na exclusão previdenciária dos trabalhadores inseridos nessas novas formas de prestação de serviços. A partir de uma abordagem qualitativa, com base em revisão bibliográfica, análise legislativa e jurisprudencial, bem como dados estatísticos recentes, demonstra-se que o modelo tradicional de seguridade social não é capaz de assegurar cobertura adequada aos trabalhadores plataformizados. A ausência de um marco regulatório específico, a resistência jurisprudencial ao reconhecimento do vínculo empregatício e a precarização das relações de trabalho ampliam a informalidade e aprofundam desigualdades estruturais. O estudo propõe a revisão do atual arcabouço normativo e a criação de categorias jurídicas intermediárias, alinhadas aos princípios constitucionais da dignidade da pessoa humana, da universalidade da cobertura e da valorização do trabalho, em consonância com os desafios impostos pela Revolução 5.0 e pela transição para uma sociedade digital inclusiva. Conclui-se que a efetividade da proteção previdenciária no Brasil depende da construção de um novo pacto normativo que concilie inovação tecnológica, sustentabilidade e justiça social.

Palavras-chave: Plataformas digitais. Proteção social. Previdência social. Subordinação algorítmica. Revolução 5.0.

1 INTRODUCTION

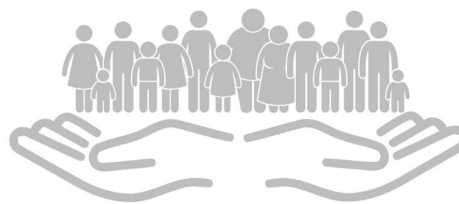
The consolidation of the platform economy in Brazil has significantly transformed labor relations, particularly in the individual transportation and goods delivery sectors. Service intermediation via digital applications has enabled millions of workers to participate in economically relevant activities. However, this process has also intensified labor precarization

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and exclusion from social security, thereby challenging the effectiveness of social rights and the universality of protection established by the Brazilian legal system.

Official data underscore the inadequacy of social security coverage among platform workers. According to the Brazilian Institute of Geography and Statistics (IBGE, 2023), the vast majority of these workers do not contribute to Social Security, which exacerbates informality and social vulnerability. This situation highlights a critical contradiction: as digital platform work expands rapidly, social protection remains limited, leaving a substantial segment of the economically active population excluded from social security.

The central research problem is to identify and analyze the gap between the realities of technologically mediated work and the effective social security protection offered by the Brazilian legal system. The lack of specific regulatory norms and judicial resistance to recognizing employment relationships in this context further complicate the issue, particularly given ongoing legislative proposals such as Bill No. 12/2024 and the general repercussion recognized by the Supreme Federal Court (Theme 1.291).

This theme is justified by its significant social, economic, and legal relevance. The precarious integration of workers into the digital labor market undermines fundamental rights, violates constitutional principles such as human dignity, and directly impacts the financial sustainability of the Brazilian social security system. Additionally, the debate on social protection for digital platform workers is situated within a global context, as multiple countries confront similar challenges and seek to develop regulatory frameworks that balance technological innovation with social justice.

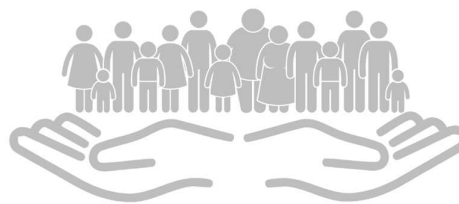
The primary objective of this article is to critically analyze the exclusion of digital platform workers from social security benefits in Brazil, identify principal legal challenges, and propose regulatory alternatives to enhance the effectiveness of social protection. Specifically,

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the article seeks to: (i) examine statistical data and empirical evidence concerning informality and social security exclusion in this sector; (ii) analyze legislative proposals and judicial interpretations regarding the legal nature of platform-mediated employment relationships; and (iii) discuss regulatory alternatives and comparative models that may inform solutions suitable for the Brazilian context.

The guiding hypothesis is that the current Brazilian legal framework, by failing to recognize the specific characteristics of platform-mediated work, perpetuates a structural pattern of social security exclusion. Consequently, there is a need to develop a normative framework that advances universal social protection, consistent with constitutional principles and contemporary transformations in the world of work.

This study adopts a qualitative, exploratory methodology, utilizing bibliographic, documentary, and jurisprudential research. The analysis encompasses national and international legislation, official statistical data, pertinent judicial decisions, and academic studies addressing the social security protection of platform workers.

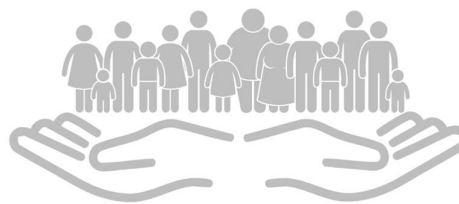
The article is organized into three main sections. The first section analyzes the rise of the platform economy in Brazil and its implications for the labor market. The second section examines the issue of social security exclusion and the legal challenges it raises. The third section discusses legislative proposals and regulatory alternatives designed to ensure effective social protection for these workers, drawing on comparative models and constitutional principles.

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2 SOCIAL PROTECTION IN THE 1988 CONSTITUTION AND THE IMPACTS OF THE 5.0 REVOLUTION

The promulgation of the 1988 Federal Constitution represented a paradigmatic milestone in Brazil's democratic trajectory, establishing a model of the State guided by the principles of human dignity, social justice, and the promotion of citizenship. In this context, social protection came to occupy a central role in the legal system, especially through Title VIII, entitled "On the Social Order," which establishes the normative foundations for public policies aimed at guaranteeing social rights.

Specifically, articles 193 to 232 of the Constitution structure a comprehensive system of protection, encompassing not only social security—understood in the areas of health, social security, and social assistance—but also education, culture, the environment, protection of the family, childhood, youth, the elderly, and indigenous peoples. Thus, a legal-institutional arrangement is consolidated that recognizes social rights as a concrete expression of citizenship and as instruments for reducing inequalities (Guimarães, 2023).

According to Santos (2022), social security emerges as one of the structural pillars of the Brazilian Social State, defined in Article 194 of the Constitution as an integrated set of actions initiated by public authorities and society, intended to ensure rights related to health, social security, and social assistance. This model is based on principles such as universality of coverage and service, selectivity and distributivity in the provision of benefits, equity in financing, and democratic and decentralized management. In this way, it seeks to guarantee a minimum level of social protection, essential to human dignity and the realization of fundamental rights.

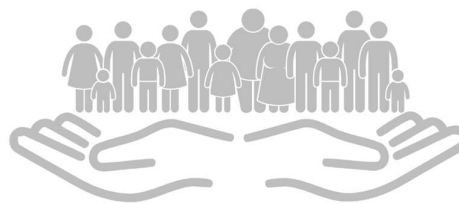
However, the profound technological, economic, and social transformations triggered by the so-called 5.0 Revolution impose unprecedented challenges to the realization of this

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constitutional model of social protection. Unlike the 4.0 Revolution—centered on automation, artificial intelligence, and the internet of things—the 5.0 Revolution proposes a technological paradigm based on the centrality of the human being, sustainability, and social inclusion (Pereira; Santos, 2022). Thus, the need arises to reconfigure traditional social security structures to adapt them to new labor and productive dynamics.

Indeed, Borsio and Lemos (2024) highlight that the emergence of unconventional work modalities, such as digital platform work and telework, challenges the traditional models of social security affiliation and financing. The fragmentation of labor relations, the dispersal of formal employment relationships, and the expansion of on-demand work make evident the inadequacy of the normative frameworks conceived within the logic of traditional employment (Silva, 2024). Thus, it is imperative to rethink social protection mechanisms to ensure effective coverage for workers in the digital economy.

In parallel, Freitas (2025) highlights that incorporating emerging technologies—such as artificial intelligence, big data, and blockchain—into public social security policies offers significant opportunities to optimize administrative processes, prevent fraud, and personalize services for the population. However, these advances must be accompanied by rigorous ethical and legal safeguards that protect personal data, prevent non-algorithmic discrimination, and ensure transparency in decision-making.

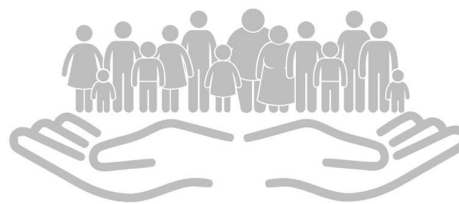
In this scenario, the normative force of the 1988 Constitution proves not only current but also indispensable. Its principles and foundations provide the necessary guidelines for developing legal solutions that respond to the challenges of the digital age without causing social setbacks. The Brazilian Federal Constitution establishes several fundamental rights for workers, without distinction, such as those provided for in Article 7, which guarantee minimum conditions for dignified work.

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Regarding this, these constitutional principles are also invoked to guide legal protection in the context of work through digital platforms. After all,

Even though the relationship between worker and digital platform is formally classified as autonomous by the jurisprudence currently prevailing in the STF (Supreme Federal Court), the power asymmetry, characterized by algorithmic control, demands the application of fundamental rights to balance this relationship and avoid the violation of fundamental guarantees in their essential core (Freitas, 2025, pp. 98-99).

Furthermore, technological impacts extend beyond the world of work and into various domains of social, economic, and environmental life. In this context, the energy transition stands out as a clear expression of this dynamic, driven by both sustainability demands and constant technological innovation. Progress in renewable energy sources, such as solar and wind, coupled with the decentralization of energy production, promotes not only the mitigation of climate change but also the strengthening of community autonomy, fully in line with the guiding principles of Society 5.0 (Tavares, 2025).

On the other hand, the success of this process depends on the formulation of robust public policies, the expansion of technological infrastructure, and, above all, the qualification of the workforce. Education, in this context, assumes a strategic role, requiring curricular reforms that integrate digital skills, critical thinking, socio-environmental responsibility, and preparation for work in highly technological, interconnected contexts.

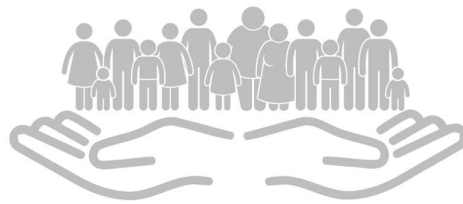
In summary, the intersection between the social protection enshrined in the 1988 Constitution and the impacts of the 5.0 Revolution highlights the urgency of a new social pact. This pact must harmonize the historical achievements of the Brazilian social order with the demands imposed by digital transformation. This, therefore, requires not only a normative update but also an ethical, political, and social commitment to the effectiveness of rights, the

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promotion of social justice, and the preservation of human dignity in an increasingly digitalized and interdependent world.

3 DIGITAL WORK AND INVISIBLE INFORMALITY: THE LEGAL DISPUTE AND THE SOCIAL REALITY

This analysis shows that new labor configurations, mediated by digital platforms such as Uber, iFood, and 99, are promoting profound transformations in work dynamics in Brazil. These changes, far from being merely technological, directly impact the traditional structure of employment, weakening the effectiveness of social protection guaranteed by Brazilian law.

3.1 The new work configurations in the platform era

Indeed, Borsio and Lemos (2024) state that the consolidation of the so-called gig economy, characterized by flexibility, fragmentation, and digital intermediation, reveals a permanent clash between technological innovation and the classic normative frameworks of Labor Law. Within the broader context of the digital economy, this model breaks with historically consolidated assumptions, especially regarding legal subordination, the personal nature of labor, and the continuity of labor provision.

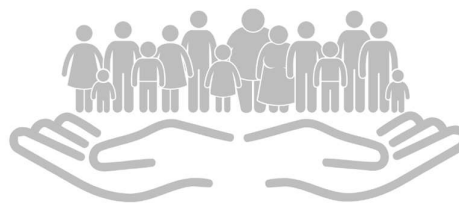
On the one hand, the platforms uphold a rhetoric that prioritizes workers' autonomy, decentralization, and the freedom to organize their activities. However, there is an undeniable increase in the precariousness of labor relations, the lack of legal protection, and, above all, the invisibility of social security for the individuals who make up this productive ecosystem. These individuals, usually classified as "collaborators" or "autonomous partners," find themselves outside the guarantees provided for in both the Consolidation of Labor Laws (CLT) and the 1988 Federal Constitution.

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According to a recent survey by Lopes and Almeida (2025), approximately 2.1 million workers operate on digital platforms in Brazil, of which about 70.1% are in the informal sector, lacking recognized employment ties and regular contributions to the social security system. This scenario not only compromises the individual protection of these workers but also threatens the financial sustainability of social security, directly affecting tax revenue and perpetuating structural social inequalities.

From a legal standpoint, Freitas (2025) argues that the central controversy lies in the difficulty of classifying the employment relationship established between the worker and the digital platform. Companies, anchored in adhesion contracts, defend the thesis of autonomy, arguing that workers have the freedom to determine their working hours, accept or refuse demands, and manage their own economic activity. However, empirical studies and judicial decisions have revealed that this supposed autonomy is, to a large extent, illusory, given the existence of sophisticated algorithmic control mechanisms (Freitas, 2025).

In this context, the concept of algorithmic subordination, widely discussed by Abílio, Amorim, and Grohmann (2021), materializes in the automated management of work. Through algorithms, platforms exert rigorous control over task distribution, ride or delivery pricing, route definition, and continuous evaluation of workers' performance. This is a less visible, but no less effective, form of subordination than that present in traditional forms of employment.

The lack of clear information about the terms and conditions of work compromises the autonomy and will of the Uberized worker, restricting their ability to decide whether to accept services or for how long they remain on the platform. Without clarity and predictability regarding working conditions and remuneration, the worker's decision-making takes place in an environment of uncertainty and informational asymmetry (Freitas, 2025, p. 84).

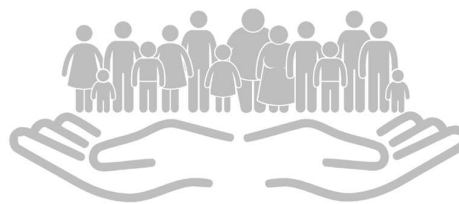
Furthermore, there is a clear transfer of operational costs to workers, who bear the full burden of fuel, vehicle maintenance, equipment acquisition, and any risks arising from the

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activity. Meanwhile, the platforms benefit not only from digital intermediation but also from the massive exploitation of data generated by this workforce, converting such information into high-value economic assets in the contemporary digital market.

3.2 The social security exclusion of platform workers

The repercussions of this model are multiple and significant. On an individual level, there is an increase in financial instability, a rise in work-related mental health disorders, and marked insecurity regarding social and pension protection. On a collective level, a vicious cycle of social exclusion is strengthening, overburdening public health and assistance systems, compromising pension revenue, and threatening the sustainability of social rights enshrined in Articles 6 and 194 of the Federal Constitution.

In parallel, the absence of a specific regulatory framework to govern this new labor reality results in increasing jurisprudential fragmentation, exposing both workers and employers to legal uncertainty. In this scenario, it is urgent to rethink the classic concepts of Labor Law to adapt them to the challenges of the digital age.

In this context, João (2024) highlights the proposal to create a specific legal category, such as that of the digital platform worker, which includes rights and guarantees compatible with the hybrid nature of this relationship. This category should, at a minimum, provide for the regulation of decent working conditions, the establishment of mandatory social security contributions, and the setting of minimum wages that ensure workers' subsistence.

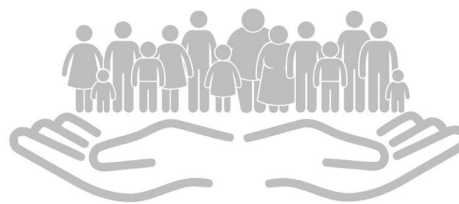
It is important to highlight that, although they represent significant technological advancements, digital platforms cannot be conceived as entities separate from social responsibilities. Their actions, if not effectively regulated, have the potential to deepen social inequalities, weaken the protective function of labor law, and, above all, dismantle the pillars of the social security system.

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Bill 12/2024, proposed by the Executive Branch, brings [...] the clear establishment of the employment relationship and guarantee of labor rights, the guarantee of social security rights, the establishment of supervision and monitoring systems for the operations of companies that manage applications, the right to be represented by a union and to collective bargaining, and the encouragement of training and professional development for workers. These proposals are relevant for establishing a fairer and more dignified employment relationship; however, in reality, a set of more complex nuances is observed that is not considered in Bill 12/2024 (Araujo et al., 2025, p. 56).

In the current legal landscape, the debate within the Brazilian Supreme Court (STF) is particularly relevant. In the judgment of Extraordinary Appeal No. 1446336, under the rapporteurship of Minister Edson Fachin, the court is discussing the possibility of recognizing an employment relationship between app-based drivers and digital platforms. This is General Repercussion Theme 1,291, whose definition will inevitably impact thousands of workers and shape the future of labor relations in Brazil.

However, holding the public hearing, convened by the reporting minister, reveals not only the Court's commitment to democratic pluralism and transparency, but also the significant social and economic relevance of the matter at hand. During the debates, more than fifty speakers—including experts, researchers, judges, representatives of entities, and lawyers—presented technical data, empirical analyses, and legal reflections essential for building a robust and legitimate decision.

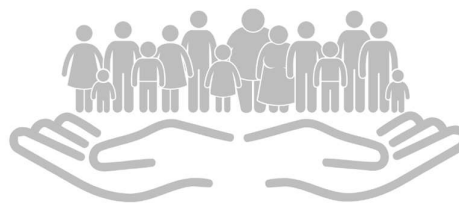
Among the main points addressed, the following stand out: algorithmic control practices, drivers' economic dependence on platforms, and the social impacts arising from the precariousness of labor relations. Furthermore, the interventions emphasized that mere formal flexibility cannot serve as a subterfuge for denying workers' fundamental rights, especially regarding social protection and dignity at work.

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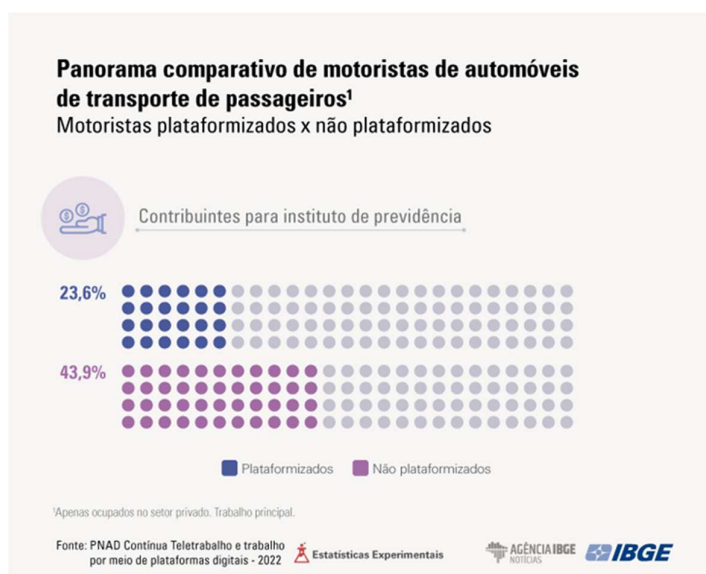
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In this context, the data reinforces the finding that the current social security protection model does not adequately cover platform workers. Indeed, the discrepancy in social security contribution rates between drivers and motorcyclists, whether on platforms or not, clearly illustrates the depth of this social exclusion.

Figure 1 – Comparative overview of drivers of passenger transport vehicles

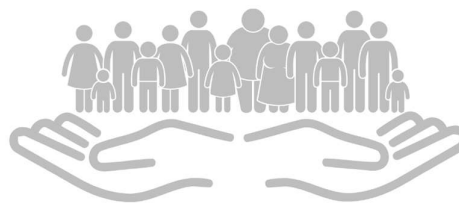


Source: Brazilian Institute of Geography and Statistics (2023)

Among app-based drivers, according to IBGE data (2023), the Social Security contribution rate is only 23.6%, while among non-platform drivers it rises to 43.9%. This means that, of every ten drivers operating through digital platforms, just over two are protected by the

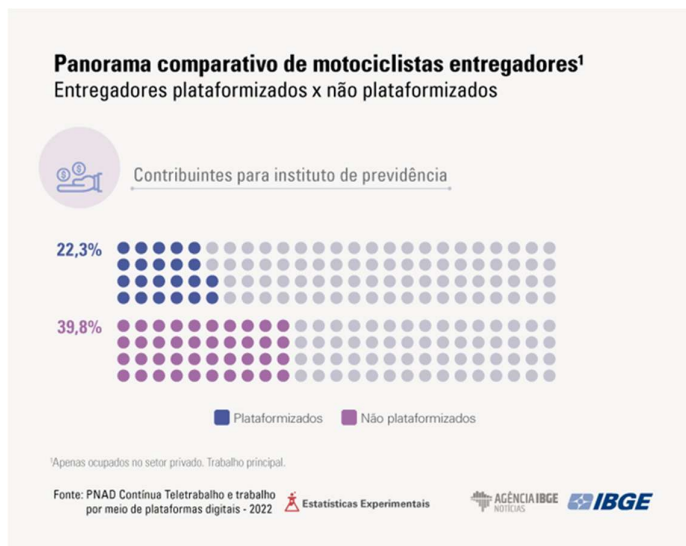
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social security system, while among those who work in the traditional way, this number rises to almost five out of ten.

Figure 2 – Comparative overview of motorcycle delivery drivers



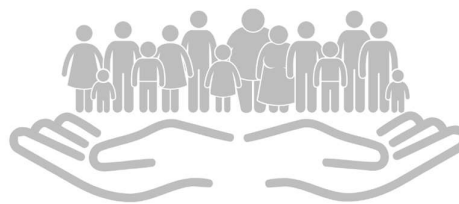
Source: Brazilian Institute of Geography and Statistics (2023)

The same logic applies to motorcycle delivery drivers. According to IBGE (2023), only 22.3% contribute to the INSS (Brazilian Social Security Institute), while among those who do not work, the rate is 39.8%. Added to this is the alarming rate of informality: 70.1% of platform workers are in the informal sector, compared to 44.2% of the total employed in the private sector.

Beyond the pension issue, other structural factors need to be considered. Data on working hours reveal that platform workers work an average of 46 hours per week, compared to 39.6 hours for non-platform private sector workers. Specifically for motocyclists, this average is 47.6 hours per week, resulting in long, exhausting workdays.

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However, this increase in working hours does not necessarily translate into improved income. On the contrary. The average monthly income of motorcycle delivery drivers working for apps is R\$1,784, while their non-platform counterparts earn R\$2,210. The scenario is no different for car drivers: those working for platforms receive an average of R\$1,888.95, while those working for non-platform drivers earn an average of R\$2,210.

Therefore, precarious working conditions are not limited to the workplace but also directly affect workers' economic sustainability and, more seriously, the financing of the social security system. Low contribution rates compromise not only the individual protection of these workers in cases of illness, disability, retirement, or death, but also affect the actuarial balance of the General Social Security Regime (RGPS), since these millions of workers are excluded from the contribution base.

This scenario reveals, with absolute clarity, that the business model adopted by digital platforms relies on a lack of social, legal, and pension responsibility. The discourse of autonomy and entrepreneurship, frequently used as justification, hides a reality of economic subordination, algorithms that control prices, routes, and work availability, and which, in practice, constitute classic elements of an employment relationship.

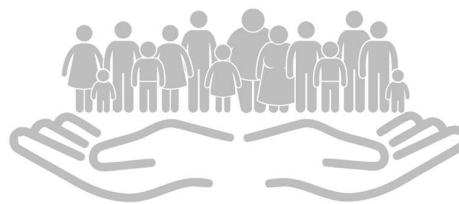
Thus, the absence of a specific regulatory framework that addresses the peculiarities of this type of work perpetuates a cycle of informality, insecurity, and exclusion from social security benefits. Maintaining this scenario directly affronts the constitutional principles of social security, especially the universality of coverage and service, and compromises the principle of the irreducibility of benefit amounts.

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3.3 The legal debate and the paths to social protection

The urgency of rethinking the legal framework for these workers is evident. Whether through the recognition of an employment relationship—based on the already widely proven algorithmic subordination—or through the creation of a hybrid social security system adapted to new forms of work, it is imperative that the legal system responds to the challenges of the 21st century, lest it deepen social inequalities and further weaken the Brazilian social protection system.

Given the facts, a scenario deeply marked by the ambiguity of labor relations in the digital economy becomes evident. On the one hand, it is clear that the average working hours and income of app-based workers — both drivers and delivery workers — fall within parameters indicating considerable economic dependence, especially for those without other sources of income (Sarmiento, 2025). On the other hand, the very configuration of this work, with formal freedom to choose hours and the absence of rigid obligations regarding the acceptance of demands, challenges the classic criteria of legal subordination set forth in the Consolidation of Labor Laws (Sarmiento, 2025).

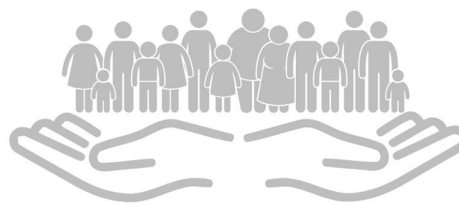
The jurisprudential debate, therefore, reflects not only a dispute over legal categories but, above all, a structural tension regarding what is currently understood as work. The emergence of so-called "algorithmic subordination"—a concept still without explicit normative provision—represents a hermeneutical attempt to adapt classic labor law institutions to a new productive logic, marked by technological intermediation (Antunes; Filgueiras, 2020). In this context, it is observed that part of the labor law doctrine and judiciary seeks to attribute to the algorithm the function of command, control, and supervision, central elements in the configuration of the employment relationship.

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However, according to Unzelte (2024), the conflicting understandings persist within the Supreme Federal Court, which, on several occasions, has reaffirmed the non-existence of an employment relationship on the grounds of contractual autonomy, the absence of direct subordination, and the preservation of the economic model of digital platforms. This position, while aiming to protect economic freedom and innovation, also accentuates structural precarization by keeping workers on the margins of traditional social protection systems.

Given this scenario, it becomes imperative to recognize that the solution does not simply lie in the dichotomy between traditional employment and full autonomy. The complexity of platform-mediated labor relations demands the construction of a new legal framework capable of ensuring minimum rights—such as access to social security, protection against risks, and decent working conditions—without, however, hindering the flexibility that characterizes this economic model. This need has been debated internationally, with legislative experiences in the European Union, Spain, and some US states, which seek to regulate intermediate forms of work (Cunha, 2021).

In short, the controversy over the legal nature of the relationship between workers and digital platforms transcends the technical-legal field, placing it at the heart of contemporary debates about the future of work, social protection, and the limits of economic freedom. The Supreme Federal Court's definitive position, whether it affirms private autonomy or applies traditional labor laws, will have repercussions not only for legal professionals but, above all, for millions of workers who today find in these platforms their main, or even their only, source of livelihood.

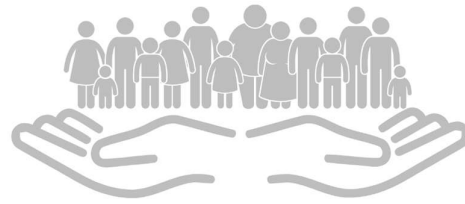
Therefore, it can be concluded that any decision that ignores the centrality of human dignity and the social function of work is doomed to deepen structural inequalities and further weaken the already fragile civilizational pact that sustains the Democratic Rule of Law. It is

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therefore urgent that the law reinvent itself, engage with concrete reality, and offer normative responses that balance technological innovation, economic development, and social justice.

4 FINAL CONSIDERATIONS

The reality of digital work in Brazil reveals a profound contradiction between technological advancement and the normative stagnation of social protection policies. Throughout this study, it has been demonstrated that the emergence of digital platforms and the intensification of telework have established a new labor configuration that breaks with traditional employment parameters, directly challenging the social security model conceived in the Fordist logic of the 20th century. This transition has not been accompanied by adequate institutional measures, resulting in an increasing invisibility of social security, affecting millions of workers—drivers, delivery workers, and remote service providers—and compromising both their dignity and the sustainability of the social security system itself.

The phenomenon of the platformization of work—supported by the discourse of autonomy but operating under strong algorithmic control—has intensified informality and normalized the absence of minimum social protection, in blatant disregard for the constitutional principles of universal coverage, equity in financing, and the valorization of human labor. Empirical analysis based on official data revealed that more than 70% of these workers operate without any social security ties, evidencing a systematic exclusion perpetuated by legislative omission and jurisprudential hesitation to recognize the elements of subordination present in these relationships.

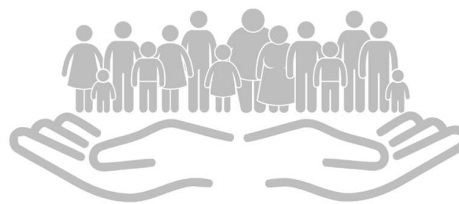
The research demonstrated that the Brazilian regulatory framework remains anchored in a paradigm of continuous, formal, salaried work, rendering it ineffective in the face of the fragmented, flexible, and technologically mediated reality of new occupations. The absence of

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specific regulations and the Supreme Federal Court's indecision in Topic 1.291 regarding the recognition of the employment relationship between app drivers and platforms exacerbate legal uncertainty and prevent the effective application of the social rights guaranteed by the 1988 Constitution.

Given this scenario, it becomes evident that the invisibility of social security benefits in digital work is not an accidental phenomenon, but rather a reflection of a legal and institutional model that has not yet incorporated the transformations brought about by the 5.0 Revolution, which demands a reconfiguration of public policies focusing on the centrality of the human being, inclusion, and social justice. The construction of a new regulatory framework capable of recognizing the specificities of the platform economy and guaranteeing a minimum level of social security protection is urgent and cannot be postponed. International models—such as those of Spain, California, and the European Union—offer important references but must be adapted to Brazilian reality under the scrutiny of the Citizen Constitution.

It is necessary to break with the false dichotomy between employment relationship and full autonomy, and move towards an intermediate legal category that recognizes the hybrid nature of these activities and ensures workers' mandatory social security rights, decent remuneration, limits on working hours, and access to collective representation. This agenda demands coordinated action from the Legislative Branch, the Judiciary, digital platforms, and civil society, in a republican pact capable of harmonizing technological innovation with distributive justice.

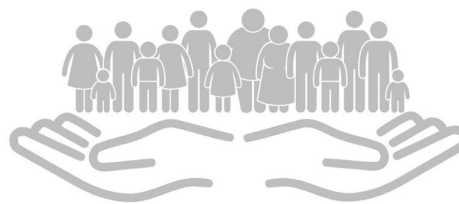
In summary, this article reaffirms that there will be no social justice in the digital age without social security inclusion. Social protection must be rethought in light of the transformations in the world of work, algorithmic intelligence, and the dematerialization of labor relations, but without ever renouncing the founding values of the Democratic Rule of

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Law. The future of social security will depend, to a large extent, on our collective capacity to reinvent its normative bases, expand its coverage, and place work—in any of its forms—at the center of legal and constitutional protection.

REFERENCES

ABÍLIO, Ludmila C.; AMORIM, Henrique; GROHMANN, Rafael. Uberização e plataformação do trabalho no Brasil: conceitos, processos e formas. **Sociologias**, v. 23, n. 57, p. 26-56, set. 2021. Disponível em: <https://doi.org/10.1590/15174522-116484>. Acesso em: 22 ago. 2024.

ARAUJO, Luisa Petla Lustoza et al. A (des)regulamentação da atividade dos motoristas de aplicativo: análise do PLP nº 12/2024 sob a ótica da proteção trabalhista. In: SERAU JUNIOR, Marco Aurélio; IANTAS, Isabel Cecon (Coord.). **Análise comparativa entre o Projeto de Lei nº 12/2024 e a Consolidação das Leis do Trabalho**. Belo Horizonte: Editora IEPREV, 2025. p. 23-56.

BORSIO, Marcelo; LEMOS, Roberta. **Previdência e trabalho digital: uma visão comparada entre enquadramentos internacionais da condição de segurado**. São Paulo: Editora Dialética, 2024.

BRASIL. Supremo Tribunal Federal. **Recurso Extraordinário 1446336**. Repercussão geral – Tema 1291: Reconhecimento de vínculo empregatício entre motorista de aplicativo de prestação de serviços de transporte e a empresa administradora de plataforma digital. Relator: Min. Edson Fachin. Disponível em: <https://portal.stf.jus.br/processos/detalhe.asp?incidente=6679823>. Acesso em: 22 maio 2025.

CUNHA, Marcos da. **Organização político-administrativa do Estado Federal**. Curitiba: Editora Intersaberes, 2021.

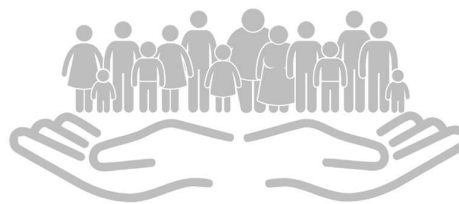
FREITAS, José Perceu Valente de. **A responsabilidade labor-ambiental da plataforma Uber na prevenção do hiperfuncionamento laboral**. 2025. 197 f. Dissertação (Mestrado em Direito) – Universidade Federal do Amazonas, Manaus, 2025. Disponível em: <https://tede.ufam.edu.br/handle/tede/10787>. Acesso em: 22 maio 2025.

Revista ANPPREV de Seguridade Social – RASS – v. 2, n. 2, 2025, pp:19-21.
ISSN 2966-330X DOI: <https://doi.org/10.70444/2966-330X.v2.n2.008>



REVISTA ANPPREV DE
SEGURIDADE SOCIAL





GUIMARÃES, Jairo Campos. Democracia excludente: participação, direitos sociais, controle social e cidadania como representações perdidas. **Revista do Direito Público**, v. 18, n. 3, 2023. Disponível em: https://www.researchgate.net/publication/377002137_DEMOCRACIA_EXCLUDENTE_PARTICIPACAO_DIREITOS_SOCIAIS_CONTROLE_SOCIAL_E_CIDADANIA_COMO_REPRESENTACOES_PERDIDAS. Acesso em: 22 maio 2025.

INSTITUTO BRASILEIRO DE GEOGRAFIA E ESTATÍSTICA. **PNAD Contínua: em 2022, 1,5 milhão de pessoas trabalharam por meio de aplicativos de serviços no país**. Rio de Janeiro: IBGE, 25 out. 2023. Disponível em: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/38160-em-2022-1-5-milhao-de-pessoas-trabalharam-por-meio-de-aplicativos-de-servicos-no-pais>. Acesso em: 22 maio 2025.

JOÃO, Paulo Sergio. Reflexões trabalhistas: trabalho por meio de plataforma digital – para onde vamos e o que interessa? **Conjur**, 13 dez. 2024. Disponível em: <https://www.conjur.com.br/2024-dez-13/trabalho-por-plataforma-digital-para-onde-vamos-e-o-que-interessa/>. Acesso em: 22 maio 2025.

LOPES, Daniele Diniz; ALMEIDA, Lucas Rodrigo Souza de. Impactos da economia nas relações de trabalho: análise das novas formas de trabalho mediadas por plataformas digitais e os desafios jurídicos para a regulação desses trabalhadores. **Ciências Humanas**, v. 29, ed. 146, 17 maio 2025. Disponível em: <https://revistaft.com.br/impactos-da-economia-nas-relacoes-de-trabalho-analise-das-novas-formas-de-trabalho-mediadas-por-plataformas-digitais-e-os-desafios-juridicos-para-a-regulacao-desses-trabalhadores/>. Acesso em: 22 maio 2025.

PEREIRA, Ricardo; SANTOS, Neri dos. Industry 5.0: reflections on a new paradigmatic approach to industry. In: **XLVI Meeting of ANPAD – EnANPAD**, 2022. p. 2. Disponível em: <http://anpad.com.br/uploads/articles/120/approved/5cdf0f9533d6b4c0984fc5ae00913459.pdf>. Acesso em: 22 maio 2025.

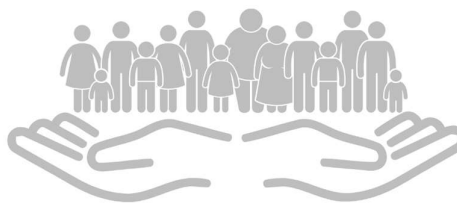
SARMIENTO, José Armando Pérez. **Expansão do trabalho por conta própria em Alagoas: possíveis causas e efeitos sobre o tecido social**. 2025. 42 f. Trabalho de Conclusão de Curso (Bacharelado em Ciências Econômicas) – Universidade Federal de Alagoas, Maceió, 2024. Disponível em: <http://www.repositorio.ufal.br/jspui/handle/123456789/16062>. Acesso em: 22 maio 2025.

Revista ANPPREV de Seguridade Social – RASS – v. 2, n. 2, 2025, pp:20-21.
ISSN 2966-330X DOI: <https://doi.org/10.70444/2966-330X.v2.n2.008>



REVISTA ANPPREV DE
SEGURIDADE SOCIAL





SANTOS, Andréia Garcia dos. **A história da política de assistência social em Santa Maria/RS: entre o assistencialismo e a garantia de direitos**. 2022. 315 f. Tese (Doutorado em Psicologia) – Universidade Federal do Rio Grande do Norte, Natal, 2022. Disponível em: <https://repositorio.ufrn.br/items/f90e3b13-38d3-4e11-9f30-a82b16d92184>. Acesso em: 22 maio 2025.

SILVA, Camila Mazza da. **Revolução 4.0 e o papel dos sindicatos nas políticas públicas**. 2024. Dissertação (Mestrado em Planejamento e Análise de Políticas Públicas) – Universidade Estadual Paulista, Franca, 2024. Disponível em: <https://hdl.handle.net/11449/257914>. Acesso em: 22 maio 2025.

TAVARES, Daniele Silva Lamblém. **Sociedade 5.0 e o futuro da proteção social: riscos e oportunidades do uso de tecnologias na seguridade social brasileira**. 2025. Tese (Doutorado em Direito Político e Econômico) – Universidade Presbiteriana Mackenzie, São Paulo, 2025. Disponível em: <https://dspace.mackenzie.br/handle/10899/40288>. Acesso em: 22 maio 2025.

UNZELTE, Carolina. Vínculo empregatício com apps: STF definirá o futuro do trabalho e da Justiça no Brasil. **JOTA**, São Paulo, 9 dez. 2024. Atualizado em: 10 dez. 2024. Disponível em: <https://www.jota.info/stf/do-supremo/vinculo-empregaticio-com-apps-stf-definira-o-futuro-do-trabalho-e-da-justica-no-brasil>. Acesso em: 22 maio 2025.

Revista ANPPREV de Seguridade Social – RASS – v. 2, n. 2, 2025, pp:21-21.
ISSN 2966-330X DOI: <https://doi.org/10.70444/2966-330X.v2.n2.008>



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