

Teacher career, remuneration and minimum wage at Municipal Education System of Belo Horizonte, Minas Gerais, Brazil

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Abstract

This paper, that result from finished researches, presents a discussion about the changes occurred in the career and the remuneration of teachers from the municipal education system of Belo Horizonte, Minas Gerais, Brazil (RMEBH) since 2003, from the creation of the post of childhood educator (EI) and from 2008 on, with the institution of the law of national professional minimum wage (PSPN). The focus was on the period from 2003 to 2016. For the analysis of the findings we have used as theoretical framework classic critical scholars, as Marx (1978); Marx and Engels (2008); and contemporary, as Santos (2004); Bernardo (2006); Antunes (2008) among others. In methodological terms, the present study is grounded in the bibliographic production of the area, in documentary research focused in national and municipal legislation concerning career and remuneration, and publication of the Syndicate of Education Workers at Municipal Education Public System of Belo Horizonte (Sind-REDE/BH). We have concluded that occurs a process of precarization of teacher work ad RMEBH, especially due to the segmentation of the teacher career in primary education and childhood education that broke the single career of RMEBH teachers, granted in 1996. We observed that the PSPN law, differently from the appreciation of teaching it preconized, induced a lowering on the remuneration and a restriction of the horizon of fights for the teachers.

Keywords

Career – Remuneration – national professional minimum wage – Municipal Education System of Belo Horizonte.

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Presentation

The present study aims at identifying and analyzing the changes implemented at the career and remuneration of the teachers of Municipal Education System of Belo Horizonte (RMEBH), since 2003, with the creation of the post of childhood educator (EI) and, from 2008 on, with the institution of Minimum Wage Law, and its possible effects concerning the precarization of teaching. It is grounded on a literature review of the area, in documentary research and data from two researches finished recently². The focus was on the period from 2003 to 2016.

The literature review was focused on researches and studies related to education public policies, works, education, career and remuneration, and encompassed websites³, scientific journals, master's dissertations, doctorate thesis and books, from 2000 to 2016.

The documentary research aimed at characterizing and analyzing the teacher career and the remuneration both on Brazilian national law and at RMEBH. We also sought to identify the perception of the director of Sind-REDE/BH and from the City Hall of Belo Horizonte (PBH) about the subject, encompassing different types of documents: (1) publications of PBH, like laws, decrees, ordinances, resolutions, official website, intranet and other documents; (2) Brazilian national laws focused on the Federal Constitution and infra-constitutional laws; and (3) publications of Sind-REDE/BH: newsletters, reports, official announcements, website of the syndicate and other documents.

Regarding the data from the two investigations concluded, they consist of results from the analysis of interviews carried out with teachers from RMEBH, the Municipal Education Secretary and the syndicate director of Sind-REDE/BH, that aimed at comprehend the perception from the subjects in relation the teacher career, remuneration, PSPN and syndicate action.

In fact, the empirical data gathered evincing that the creation of the post of EI broke the single career of teachers in RMEBH, conquered in 1996, after a cycle of fights of the teachers that lasted only seven years. The Law of Minimum Wage (PSPN) of public teaching, instituted at national level in 2008, had not been used as a parameter in the wage campaign, however, constituted a reference for the fight that a third of the working day was reserved for extra-class activities.

This text is structured in five parts. The first one contextualize the implications of the capitalist restructuration for education and teacher work. The second characterizes RMEBH. The third addressed the career and remuneration of RMEBH. The fourth deals with the changes implemented at the career and remuneration since 2003 with the creation of EI. And the last one analyses the PSPN regarding remuneration and time for extra-class activities.

2- The first research was carried out within the Master's in Education, developed in the research line: Public Policies and Education at the Faculty of Education at Federal University of Minas Gerais (ROCHA, 2017). The second was the research was entitled *National Professional Minimum Wage in Minas Gerais: implication on the career, remuneration and teacher syndical representation* (ROCHA, 2017), carried out with the support of *Fundação de Amparo à Pesquisa do Estado de Minas Gerais* (Fapemig), Universal Demand Notice 01/2014.

3- Scielo, CAPES' Portal, Annals of AnpEd.

Capitalist Restructuration: implications for education and teacher work

In his studies, Marx (1978) affirms, in the unpublished sixth chapter of *The Capital*, that the specific function of capitalism “is therefore the production of surplus value, which, it later appears, is nothing but the production of surplus labor, the appropriation of unpaid labor in the real production process, which expresses itself as, is objectified as, surplus value” (p. 6). Capital is the producer and reproducer of the capitalist social relationships and the productive forces of work appears as productive forces of capital.

In the text of *Manifest of Communist Party*, Marx and Engels (2008) affirm that, with the end of absolute monarchy, the advance of bourgeoisie and the establishment of the big industry and the worldwide market, the modern State is no more than a business committee of the bourgeois owners. As bourgeoisie centralizes the means of production and, also, the political power, it is up to the State the task to perpetrate the domination of capital over work.

Capitalism, which has been passing through restructuration along its history seeks to overcome its crisis, in order to keep perpetrating itself. With each new crisis, the demanding for overcoming is more profound and require adjusts over the working class. Since the 1970s, worldwide capitalism is taken by a new and profound crisis that have required a new and broader process of restructuration that involved the productive sector and the field of actuation of the State. The production processes expand themselves all over the world, causing the strengthening of transnational enterprises and the alteration of the international division of work, which starts acting at the sphere of those big enterprises (SANTOS, 2004). In Brazil, this process has been implemented systematically since the 1990s, when a series of reforms of the State took place, having the privatization as a centrality (MANCEBO; MAUÉS; CHAVES, 2006).

With the worldwide crisis of the 1970s, profound transformations on the work world were promoted. It is introduced the model of flexible accumulation, based, above all, on work flexibility and technological advance. The results of the technological progress are present from the “intensification of the replacement of ‘living work’ by the ‘dead work’, in fast pace, causing structural employment and the deepening of the situations of poverty, misery and instability” (MANCEBO; MAUÉS; CHAVES, 2006, p. 38-39). (Emphasis on the original).

Relaxation can be understood as freedom for the enterprises regarding the determination of the conditions of hiring, remuneration and use of work. This leads to the payment of real smaller wages than is required by the parity of work and the changes on the working day, restructuring the schedule and the characteristics of work, such as shift, schedule, and flexible working time, among others. There is, also, an expansion of outsourced work, under-hiring, bound to the informal economy (ANTUNES, 2008). In that scenario, it is rebounded the process of work precarization, associated to the removal of social rights conquered by the workers. It is required a new type of worker that bears the increase of work intensity, and the need for qualification. That higher intensity and qualification “finds its answer on the polyvalence – the ability to exert multiple different functions” (SANTOS, 2004, p. 85).

That restructuration is reflected also and with vigor, upon the field of actuation of the State, on the so-called *public services*. In education, the teacher becomes polyvalent, especially, with the technological innovations, which expand the list of functions exerted by him.

The expansion of the activities and of the varied functions performed by the teachers, associated to the compression of times for this accomplishment, has overwhelmed the teachers. We also find as a result the loss of material and intellectual quality of the work. Moreover, that process is not accompanied by objective working conditions and proper and/or worthy remuneration.

We can consider that this restructuration process is in an advanced stage today and its effects upon the working class are devastating their work and social security rights. The austerity measures implemented or being voted in the Brazilian National Congress since 2015, notably regressive of rights, fulfill a fundamental role on that process, deepening a cycle of reforms that begun in the 1990s. Examples of that affirmation are the Constitutional Amendment (EC) nº 95/2016, that freezes the Federal Union expenses for twenty years, limits the salary readjustment and alters the career; and Law nº 13.429/2017, that regulates the outsourced work in Brazil, inclusively for end-activities, among others. Thus, worthy career and remuneration hold off even more from being granted to the teachers or are even in the process of extinction due to the consolidation of a new educational paradigm, grounded in the merchandizing. It is a project that involves both higher education, already broadly privatized in Brazil, and all the primary education that begins to be expressive in that process. In that case, childhood education is pointed out as a new promising niche for capitalist groups that explore and are expanded in the educational sector today⁴.

Characterization of the Municipal Education System of Belo Horizonte

RMEBH, in 2017, consisted of a total of 166,175 students enrolled in the initial years of childhood education and primary education, besides the modalities of The Adolescence to Young Adult Education (AYA) and Special Education. Regarding the teachers, RMEBH counts on a total of 13.821 permanent teachers, being 8,703 working on primary education and 5,118 on childhood education (BELO HORIZONTE, 2017). The access to teaching career on the posts of permanent provision is granted exclusively by means of public exam and titles.

In primary education there are 190 schools, organized in three learning cycles⁵, serving 112,853 students; 13,067 students from AYA and 267 at Special Education. In childhood education, the organization consists of 324 establishments divided into two management dependencies: 131 municipal unities of childhood education (UMEI) and 193 agreed daycares, totalizing 39,988 students enrolled (BELO HORIZONTE, 2017).

The associated daycares are private educational institutions of communitarian, philanthropic or professional nature, non-profitable, agreed to Belo Horizonte City Hall

4- Available at: <<https://www.istoedinheiro.com.br/nova-fronteira-da-educacao/>>. Accessed in: Apri, 6, 2018.

5- 1st Cycle: 6, 7, 8 and 9 years old (1st, 2nd and 3rd year); 2nd Cycle: 9, 10 and 11 years old (4th and 5th year); and 3^o Cycle: 11, 12, 13, 14 and 15 years old (6th, 7th, 8th and 9th years).

(PBH), that serves children from zero to five years and eight months, fulltime or partial time. Differently from UMEI's that are maintained exclusively with resources from the Municipal Education Secretary of Belo Horizonte (SMED) itself, the daycares depend on transference of financial resources, needing to ask contribution from the children's relatives and organize philanthropic sales in order to gather complimentary resources⁶.

The expansion of childhood education was one of the goals of the government program, denominated *BH Metas e Resultados* [BH Goals and Results]⁷, of mayor Márcio Lacerda (2009-2016), of Brazilian Socialist Party (PSB), in two consecutive mandates. That expansion was afforded especially by means of Public-Private Partnership (PPP), since the end of 2010. The concession has a 20-years term, being responsible for the construction of 51 education systems (46 UMEI and five primary education municipal schools) and their maintenance. In January 2016, all the 51 unities had already been build⁸.

In the end of 2012, PBH began, by means of SMED a bidding procedure in the modality of public completion aiming at choosing the best proposal of management concessionary. In June 2012, was carried out the evaluation of the commercial proposals presented, based on the criterion of smaller maximum value of the counterpart. The proposal presented by *Educar* Consortium formed by the enterprises *Construtora Norberto Odebrecht Brasil S. A. and Odebrecht Participações e Investimentos S. A.*, in the value of R\$ 3,246,000.00 (three million, two hundred and forty and six thousand reais) was the winner. In July 24 2012, the contract was signed with the concessionary *SPE INOVA BH S.A.*, formed by the enterprises *Construtora Norberto Odebrecht Brasil S. A. e Odebrecht Participações e Investimentos S.A.*⁹ It is worth mentioning that at the UMEI's and at the schools resulting from PPP, there is a manager, employee from INOVA BH enterprise, that does the management services of the institution. The management began to be shared between the school managers and the private manager. The public institution stops being managed exclusively by public system, losing its autonomy.

That practice is a modality of privatization, denominated *concession management*, introduced in education, allowing the school institution, even though it continues to be public, to have a private management. Education keeps on being free for the students, so far. However, the State transfers for the private initiative an amount in payment for its management, by means of a management contract between that institution and the govern. That kind of practice has raised resistance of social movements and critics from scholar sectors, as we can observe in the defense presented by Freitas (2012, p.386), "Therefore, the school flag must be updated: it is no more enough to defend it, now we must defend public school with public management".

Coherent with the interests of groups that began to explore education in a mercantile way, with the advance of that type of partnership, stimulated by PBH, it is assumed

6- Available at: <<https://www.cmbh.mg.gov.br/comunica%C3%A7%C3%A3o/not%C3%ADcias/2016/04/>>. Accessed in: July 22, 2017.

7- Inspired by the reform undertook by the State of Minas Gerais by the governors Aécio Neves (PSDB) and Antônio Anastasia (PSDB), that by its turn is inspired on the Director Plan of the Brazilian State Reform, in 1995 (BRESSER-PEREIRA, 1999).

8- Available at: <<http://www.odebrecht.com/pt-br/comunicacao/noticias/inova-bh-conclui-entrega-de-51-escolas-antes-do-prazo>>. Accessed in: July 22, 2017.

9- Available at: <https://prefeitura.pbh.gov.br/?evento=portlet&pIdPlc=ecpTaxonomiaMenuPortal&MenuPortal&app=acessoinformacao&lang=pt_BR&pg=10125&tax=38335>. Accessed in: July 22, 2017.

and implemented a management logic and practice increasingly strong and naturalized, moving away from the social goals of education. It begins to be considered and managed as business activity, as an enterprise. Instead of investing resources for a quality public education and the valuation of the education staff, the mayor invests millions in that type of partnership, that transfer public resources of management power to the private sector.

Career and teacher remuneration at RMEBH

The public posts for municipal teachers at PBH were, until 1996, namely: municipal teacher I (PMI), secondary education requirement, which worked from basic education to 4th grade; and municipal teacher II (PMII), of higher education requirement, that taught specific matters from 5th to 8th grade and high school. The remuneration was different among those posts (MIRANDA, 2013). However, from 1992 on, with the Amendment to the Organic Law n° 3/1992, the PMI teacher who possessed a graduation degree that enabled him to teaching began to receive his income according to the level and the calculus formula equal to PMII, in an equivalent working day. At the time, there was not an Education Career Plan, which was instituted only in December 1996.

In a discussing regarding the Education Career Plan, it reappears an old polemic between govern and the teachers, the unified teacher career versus a teacher career differentiated according to the actuation on the different education stages. The govern presented a proposal for a differentiated teacher career according to the level of education and scholar training, organized into three distinct posts: municipal teacher from basic education to 4th grade, with secondary education requirement; municipal teacher from basic education to 4th grade, with higher education requirement, and municipal teacher from 5th to 8th grades and high school, with full degree (ROCHA, 2011).

One of the Govern's arguments was that the need for expansion of childhood education would cause high costs with the maintenance of unified career. There were three positions reflected also on the syndicate directory. The first group defended the proposal presented by the govern, aforementioned; the second group defended the construction of two separated careers, one for teachers from basic education to the 4th grade and the other for teachers from the 5th to the 8th and high school; and the last group composed mainly by the primary education teachers, defended the maintenance of the unified career.

The decision would be made by the govern after the result of a general assembly of teachers of RMEBH. The several proposals for teacher career were organized in three tables that presented variations from 15 to 24 levels. By the end of the assembly, 75% of the teachers approved the maintenance of the unified teacher career, with the extinction of PMI and PMII posts, and the creation of the post of Municipal Teacher (PM), organized in a table of 24 levels (ROCHA, 2011), being the time of service and the titles the central elements for progression in the career. Thus, the teacher with higher education would be located in the level 10 of the career and the teacher in service after the conclusion of graduation course would advance automatically to the level 10 of the career or other higher.

The Education Civil Servants Career Plan was instituted in December 27 1996, by means of Law nº 7.235/1996, which described the habilitation, the actuation area and the characteristic attributions of each post. According to the text, the post of permanent provision in the education area of PBH would have 15 level in the remuneration table, except the teacher post, that would have 24 levels (BELO HORIZONTE, 1996).

The base-income incorporated the advantages related to extra-number classes, reward for extra-class activities, paid weekly rest, additional for class regency, additional for short graduation course, incentive for pedagogical dedication, reward for activities in the library. The reward for exclusive dedication (GDE) was defined in order to focus on the remuneration due to the post of commission provision¹⁰ (BELO HORIZONTE, 1996).

On the text of the approved plan, the progression by scholarship is reached after the teacher being approved in the performance evaluation, according to the conclusion of graduation course with scholarship higher than the required for the permanent post. The scheduling is presented in Chart 1 below. The teacher can advance up till, at the maximum, five levels on the career (BELO HORIZONTE, 1996). In the case of childhood education, the Law nº 8.679/2003 have established that two levels would be granted by means of higher education, remaining, thus, only more three level for scholarship progression. In the primary education career, the teacher can advance up till five levels.

Chart 1 – Progression by scholarship

Scholarship higher than the required for the post		Number of levels
Full Primary Education		1
High School		1
Higher Education		2
Post-graduation	a) Specialization	1
	b) Master's degree	2
	c) Doctorate degree	2

Source: Law nº 7.235/1996 (BELO HORIZONTE, 1996).

In case of the post of childhood education teacher, the three levels of progression by post-graduation degree could be achieved by: one specialization (one level) and one master's degree or one doctorate degree (two levels). In the case of municipal teacher, it is possible to advance up to five levels in any combination: (1) one specialization (one level), one master's degree (two levels) and one doctorate degree (two levels); (2) five specializations (one level each); (3) two master's degrees (two levels each, totalizing four levels) and one specialization (one level).

The professional progression by merit refers to the advancing of one level every 1,095 days (three years) of effective service, by means of a performance evaluation. There

10- According to the Law nº 7.235/1996, the post of provision in commission and public function are: school director, school vice-director, school secretary, coordinator of childhood education center and coordinator of public professionalization workshop.

are also the benefits of a quinquennial of an increase of 10% over the remuneration every five years of effective service.

The teacher can begin his career progression after being approved in probationary stage, which lasts a three-year period. In that period, the teacher will be submitted to the performance evaluations, on which will be checked the aspects related to his actuation on the exercise of his post attributions, among others. The teacher who is approved on his performance evaluations will have his declaration of stability published on the Municipal Official Bulletin (DOM).¹¹

Gurgel and Souza Júnior (2013) emphasize that this performance evaluation elaborated by RMEBH disregard the work conditions experimented by the teachers, being in general limited to the teacher itself. We observe that the responsabilization of the teachers, as it already has been exposed in the literature of the educational area, is one of the conductor axis of that evaluation, aiming at reward and punishment.

Sind-REDE/BH, aiming at prevent PBH to difficult the progression by merit, promotes the campaign A REDE É 10, that consist in the attribution of 10 score to the performance evaluation of all education workers. That campaign began during the process of performance evaluation carried out in 2006, allowing for, in average, 98% of approval of its staff in the two evaluations performed (SIND-REDE/BH, 2009).

Teaching career and remuneration in RMEBH after 2003

The differentiation¹² of the posts with career and remuneration different of teachers by actuation on the teaching stages between PMI and PMII, preexistent in RMEBH, was surpassed in 1996, after a cycle of fights of the teachers. However, in 2003, that differentiation between childhood education and primary education reappears with the creation of the specific post for childhood educator, denominated EI, by means of Law nº 8.679/2003. That law altered Law nº 7.235/1996, breaking the unified career.

Thus, it started a process of devaluation of the teachers that work with small children. In the case of the career, the EI had right to the progression only up till 15 levels along it, whereas in the same period the municipal teachers could ascend up till 24 levels in the career. In the case of the remuneration, the amounts paid for EI and PM were different, as we can observe in Chart 2, taking as reference the year of 2003.

11- Available at: <http://portalpbh.pbh.gov.br/pbh/ecp/comunidade.do?evento=portlet&pIdPlc=ecp_TaxonomiaMenuPortal&app=recursoshumanos&tax=11775&lang=pt_br&pg=6040&taxp=0>. Accessed in: May 20, 2017.

12- In a few public educational systems in Brazil, there are more than a teaching post that is differentiated by teaching stage actuation, for example Belo Horizonte, Curitiba, Natal, Teresina, as was verified by the National Research *Remuneração de professores de escolas públicas da Educação Básica: configurações, impactos, impasses e perspectiva, coordinated nationally by Professor Ph.D. Rubens Barbosa de Camargos*. More information on that research are available at: <<http://observatorioderemuneracaodocente.fe.usp.br/pesquisadores.html>>. Accessed in: 01 out. 2017.

Chart 2 – Career e minimum wage (in R\$) at PBH (2003)

Post	Level										
	1	4	6	8	10	12	15	16	18	20	24
PM ^a	448,57	519,27	572,80	631,18	695,88	767,20	888,14	932,54	1028,13	1133,51	1377,79
EI ^b	424,24	491,11	541,45	596,95	658,14	725,59	839,97	–	–	–	–

^a Municipal Teacher.

^b Childhood Educator.

Source: Law nº 7.235/1996 (BELO HORIZONTE, 1996).

Based on Chart 2, we can observe that PM by when at the last level of the career, level 24, would receive the minimum wage in the amount of R\$ 1,377.79, whereas EI, in the level 15, the last of the career of childhood education, would receive R\$ 839.97. The working day is common to both posts (22 hours and 30 minutes a week).

The Law nº 8.679/2003 also determined, in its 2nd article, that each UMEI should be bound to a primary education municipal system, denominated *nucleus-school*. Thus, the UMEI became dependent, especially in management terms, upon the nucleus-school, having the same direction, the same secretary and the same school counter of it. Therefore, the director and the vice-director of the nucleus-school would also be in charge of the UMEI. In 2006, after several questionings of the educators and the vindication for the autonomy of the UMEI's in front the nucleus-school, the City Council of Belo Horizonte approved the Law nº 9.154/2006 that created the function of UMEI's vice-director (SIND-REDE/BH, w. d.). However, the educators could not run for UMEI's vice-director until 2008, since that function could only be exerted by PM.

The UMEI's director continued the same of the nucleus-school, and the UMEI could be localized far from it, what made difficult the daily presence of the director. The exercise of that director function was not allowed to the teacher of childhood education,¹³ as aforementioned.

PBH, by preventing the teachers from childhood education to assume the director function demonstrated to disregard his belonging to education career. By doing so, the PBH differentiates, hierarchizes and lowers the teachers that actuate with small children. Bernardo (2006) explains the meaning of that type of policy. For him, introducing difference of level, functions and remuneration, that put a few workers above the others, is one of the main actions of the employers to stimulate intra-class competition, preventing them to exist (or to perceive themselves) as a class.

It is worth mentioning that, before the creation of EI post, the Municipal Kindergartens worked with municipal teachers that actuated in childhood education for many years. With the creation of the EI post, PBH affirmed that would guarantee to those municipal teachers the right to keep working on that education stage. However, they were verbally invited to leave, under the allegation that they would lose their right to apply to

13- Since October, 2018, by means of the approval of Law 11.132/2018, it begin to be allowed to the childhood education teacher to assume direction function. The UMEIs began to be denominated Municipal Schools of Childhood Education (EME). The consecution of the management, financial and pedagogical autonomy of the EMEIs is in process of transition that will continue till December 31, 2020.

transference to other schools, since the wages of childhood education would be fulfilled primarily by educators (OLIVEIRA; LACERDA; ROCHA, 2006). Thus, those teachers were pressed to stop working in childhood education when PBH presented the proposal of increasing the school year for children from zero to 5 years old, with an interrupt calendar of 240 school days. In case the teachers moved to primary education, they would work two hundred school days and would have granted the January vacation, which in the childhood education would not exist. The result was that few municipal teachers stayed in the schools of childhood education (ROCHA et al., 2015).

Thus, it was consolidated and deepened a policy of division that already began in 1990, inclusively, between teachers from childhood education schools and primary education schools and high schools.¹⁴ It was perceptible the lack of proposals and projects for childhood education, small remuneration, unsatisfactory career plan, among others.

In that context, there happened, in 2005, two teachers strikes¹⁵ in Pimentel Govern (2001-2008), in which agenda of vindications were prioritized points related to career. The first one, in January of that year, was a strike exclusive of childhood education, when the uninterrupted schedule was discussed and the educators were called to work during the school vacation. That strike lasted one week and had adhesion of almost 50% of educators, which, at the time, were a total of four hundred. The main vindications consisted in the unification of the career, the creation of a single schedule with the other municipal schools and that the govern would listen to the opinion of the parents about the school year (ROCHA et al., 2015).

The second strike was carried out in May 2005, together with all teachers of the municipal system, whose vindications were for “better work conditions, pedagogical meeting during the working hours of the teachers and [...] salary isonomy between educators and teachers” (OLIVEIRA; LACERDA; ROCHA, 2006, p. 18).

The proposal of survey among the population about the period of function of childhood education was accepted by the mayor at the time, Fernando Pimentel. The research was carried out in August, 2005 by an enterprise hired by PBH, with the participation of a committee formed by representatives of SMED and Sind-REDE/BH (members of the directory and of the Collective of Childhood Education¹⁶). The role of the representatives of the syndicate was important to prevent the survey to induct the families to the answers hoped for Pimentel govern (2001-2008). The result was that the majority, 56% of the families, affirmed that childhood education should have the same schedule of primary education (SIND-REDE/BH, w. d.).

In face of that result, the municipal govern withdrew from its original proposal and unified the schedule of fundamental education in 2006 and 2007. However, in 2008, it modified again the school year and changed the July vacations to January. Thus, all

14- In 2007, the Municipal Education Secretary started the process of transference of the students from High School from the Municipal System to the State System. That migration was gradual, being extinct in each year one class of High School of the schools that offered that level of education, in order that the students that had already entered could finish their studies in the facilities. In 2017, there are not more the offer of High School at RMEBH.

15- Those were the last two strikes organized by the Unique Syndicate of Education Workers of Minas Gerais (Sind-UTE-MG).

16- That collective was constituted inside the structure of Sind-REDE/BH. It study and create fight strategies for childhood education.

the municipal schools began to attend the children during 15 days in July. With that, the vacation time of the teachers decreased, increasing the working days. That increase of work, the lowering of the remuneration and the deterioration of the work conditions of the teachers corroborate the precarization process of teaching work (SAMPAIO; MARIN, 2004). From that results the loss of material and intellectual quality of work.

In July 2011, the Public Ministry (MP) presented its recommendation to Lacerda Govern (2009-2016) to “[...] equal the professional and juridical status of EI to the teacher’s, in the initial levels of the careers, granting them the same rights for all ends, inclusive of treatment and salary police, remuneration, rewards and retirement”.¹⁷

In face of MP’s demands, the mayor at the time Márcio Lacerda presented a project of law (PL) to the directors and vice-directors, in January 2012. However, the PL n° 2.068/2012, which turned the public permanent post of childhood educator into the public permanent post of childhood education teacher, did not mean the longed unification of teacher career.

In the same year, Sind-REDE/BH called a specific strike for childhood education, deflagrated in March, whose central agenda was the unification of the teacher career. That strike, that lasted 45 days, counted on a high level of standstill of the UMEI’s and in the schools, achieving and adhesion higher than 80%. However, even with the strength of the movement, there was no behavior of the govern regarding the main vindication of the teacher for the unification of the careers, as the syndicate affirmed in one of its publications at the time, “the main objectives concerning the career have not yet been achieved” (SIND-REDE/BH, 2012, w. p.).

By the end of 2012, the Law n° 10.572/2012 altered the nomenclature of the post for *childhood education teacher*, granting only the right specific for teaching, as time for retirement, accumulation of posts and whole payment for the extension of working day (double); equality in other benefits, as the equal amount for the allowances that have different values for childhood education.

The article 11th of Law n° 10.572/2012 altered the chart of minimum wage of the career plan in the area of education activities. Apparently, the initial salary was equaled for the first time between the teachers from childhood education and those from primary education. However, that equality is fictitious, since the municipal teachers begin their careers at level 10, being the lower ones reserved only to those teachers with teaching training in secondary level.

Besides that, the difference of possible levels for progression in the teachers’ career was kept, with 15 levels destined to childhood education and 24 levels to those who work on primary education. Thus, instead of the vindicated unification, PBH keep the two distinct careers, attending only partly the vindications of the teachers.

Thus, the valuation of teaching in the aspects concerning worthy career and remuneration is inserted both in the teachers’ vindication and in their syndical organizations. However, in practice, that longed valuation has not been effected, in view

17- Available at: <<http://redetravessia.blogspot.com.br/2011/08/parecer-do-ministerio-publico.html>>. Accessed in: July 23, 2017.

of PBH measures and the teacher strikes in the last years all over the country in which those are the main vindications.

PSPN Law: remuneration and time for extra-class activity in RMEBH

Nationally, the Law nº 11.738/2008 instituted the PSPN for the professionals of public teaching in fundamental education. That law defined the minimum as for a working week of up to 40 hours, which should be respected in order that, at the maximum, two thirds were done in activities of interaction with the students, and at the minimum, one third in extra-class activities. The initial amount, in 2008, was R\$ 950.00 (nine hundred and fifty reais), that should be adjusted by the variation of Fundeb annual value (BRASIL, 2008). In 2017, the amount of minimum wage was R\$ 2,298.80 (two thousand, two hundred and ninety and eight reais, and eighty cents).

Even though the amount defined as minimum was bound to a working week of up to 40 hours (BRASIL, 2008), many education systems of Brazil, that have different working weeks, bound the minimum wage to a 40 hours working week, calculating its proportionality, instead of considering the whole amount of the wage for a working week up to 40 hours.

The PSPN law was not used by Sind-REDE/BH as a criterion for the remuneration issue. It adopts, instead, the minimum wage of *Departamento Intersindical de Estatísticas e Estudos Socioeconômicos* [Intersyndicate Department of Statistics and Socioeconomic Studies] (DIEESE), that was the general reference for the syndicates, inclusively of the teachers, before the approval of PSPN law.

The needed minimum wage is a reference produced by DIEESE. It is calculated based in two legislations and monthly survey of prices of the items of basic basket. The first legislation is Decree-Law nº 5.452, of May 1 1943, known as CLT, that in its 176th article establishes that it must to be sufficient for meeting the primary needs of the worker. The second is the Brazilian Federal Constitution of 1988, that in its 7th article, title II, chapter II (of the Social Rights), incise IV, establishes the right of every worker to a minimum wage, maintaining the definition of CLT. Thus, it is established that the amount of salary must be capable of meeting the basic vital needs of the worker and his family with food, inhabitation, education, healthcare, leisure, clothing, personal hygiene, transport and social security. The text also defines periodical readjustments with the aim of preserving the purchasing power of the worker. Based on that premise, DIEESE calculates and publishes the minimum wage needed each month to fulfill what the Constitution establishes, and thus, guides the vindications and negotiations of the syndicates with the employers, in relation the salary of its represented. Besides that, it is a device used by the syndicates to denounce the disregarding of the constitution precept that determines the bases for the establishment of the smaller remuneration that applies in the country¹⁸.

According to Fabiano Camargo da Silva, economist of DIEESE, the minimum wage needed calculated is the dream of the working class, for it indicates the minimum amounts for a worthy life. The economist of *Força Sindical* [Syndicate Force], Cid Cordeiro, explains

18 - Available at: <<http://metarevista.com.br/2016/06/07/ja-imaginou-receber-no-minimo-r3-71677-por-mes/>>. Accessed in: July 30, 2017.

that “the minimum wage needed of DIEESE, elaborated from what the Federal Constitution says, is the most adequate for the Brazilian worker, for the amount achieve is found by means of monthly purchasing power”.¹⁹

At Table 1, we can compare the amounts of nominal minimum wage, of the needed minimum wage, calculated by DIEESE, and of PSPN, as well as the minimum wage of the municipal teacher and the childhood education teacher, in the period from 2008 to 2016. That table evinces that there is a notably discrepancy between the amount of PSPN and the minimum wage established by DIEESE. In the period from 2008 to 2016, the difference percentile of the values oscillated between 38.25% and 54.26%. In the years of 2008 and 2009, the value of PSPN was respectively 50.63% and 54.26% smaller than the value of DIEESE minimum wage. The value of PSPN does not meet all the basic vital needs of the worker and his family. The law of PSPN ended up inducing the lowering of teachers' remuneration, and consequently, the reduction of the horizon of fights, with the suppression of reference to DIEESE minimum wage.

Table 1 – Values of nominal minimum wage, needed minimum wage (DIEESE), PSPN in the period from 2008 to 2016 and minimum wage of municipal teacher and childhood education teacher (in R\$)

Year	Nominal Minimum Wage	Needed Minimum Wage (DIEESE)*	PSPN (Working week up to 40 hours)	Difference between DIEESE e PSPN salaries		Base-income of Municipal Teacher (working week of 22 hours and 30 minutes)	Base-income of Childhood Education Teacher (working week of 22 hours and 30 minutes)
				In R\$	Percentile		
2008	380.00	1,924.59	950.00	974.59	50.63%	1,308.86	700.05
2009	415.00	2,077.15	950.00	1,127.15	54.26%	1,473.76	850.00
2010	510.00	1,987.26	1,024.67	962.59	48.43%	1,503.23	884.94
2011	540.00	2,194.76	1,187.00	1,007.76	45.91%	1,583.97	949.72
2012	622.00	2,398.82	1,451.00	947.82	39.51%	1,841.20	1,186.85
2013	678.00	2,674.88	1,567.00	1,107.88	41.41%	1,878.02	1,210.59
2014	724.00	2,748.22	1,697.00	1,051.22	38.25%	2,023.79	1,304.55
2015	788.00	3,118.62	1,917.78	1,200.84	38.50%	2,092.22	1,348.67
2016	880.00	3,795.24	2,135.64	1,659.60	43.72%	2,144.53	1,382.38

*Reference month: January.

Source: Elaborated by the authors, based on the data from DIEESE, PSPN and DOM.

The directors from Sind-REDE/BH considerate that the law of PSPN and the amount established do not benefit the fight for improvement of remuneration, the reason why the

19- Available at: <<http://metalrevista.com.br/2016/06/07/ja-imaginou-receber-no-minimo-r3-71677-por-mes/>>. Accessed in: July 30, 2017.

director of the syndicate refused to use its reference in the fight undertaken in RMEBH. However, due to the low percentiles of readjustment granted by Lacerda govern (2009-2016) in the last years, that have shown to be lower than the percentiles of annual readjustment of PSPN, the teachers of the base, resentful of the salary loss, begin, since 2015, to pledge in their readjusts the fulfillment of the PSPN by the govern of Belo Horizonte. We can observe, thus, the lowering of the horizon of fights of the teacher category of RMEBH.

We can verify that PSPN begins to be considered as the maximum value for remuneration of the teachers, rather than being the minimum value. And, even so, it is not observed in its integrality. At RMEBH, the minimum wage of the municipal teachers, that was superior to the value of PSPN, each year is closer to that value. In the case of childhood education, the value is inferior to that of PSPN; it is lagged and only related to public teaching. Besides that, the minimum wage needed of DIEESE, since the PSPN law, stopped being the historical referential of the working class and of the syndicates. And there are already arguments from the Brazilian Federal Govern, due to austerity policies demanded by capitalism, increasing even more the exploitation upon the teachers. The salary lowering imposed to the teacher, in general in the last decade, has not yet achieved the level intended by the reformers and corporations that consolidate and advance in the field of education.

On the other hand, PSPN law have constituted itself as the reference for the fight for the respect of one third of the working hours for extra-class activity, according to what was established in the law. Since 2011, the implementation of one third of the working day of the teacher for planning, training and evaluation appear in the agenda of vindication every year.²⁰

Today, PBH affirms to observe the time reserved for planning according to PSPN law (one third of the working day). However, it considerates the lunch time (twenty minutes) and authorizes the students to be dismissed ten minutes earlier to compose thus the thirty minutes left. Thus, only one daily hour is effectively destined to extra-class activities, which should amount to 1h30m.

When questioned about the reason for counting the lunch time in the time of extra-class activity, the secretary interviewed justifies that it is in fact an extra-class time, and affirm that there is a decision of the municipal attorney's office and of STF itself, concerning that question, supporting that counting:

It is, actually, it is so: we consider that the recess is not the teacher's is the student's. The recess is the student's. The teachers work 22 hours and 30 minutes, distributed in the form, whether the form it is distributed. The recess is the student's. It is not the teacher's. Thus, that is the vision we have, inclusively with a report. It is legal. The report from the Municipal Attorney's office is that the law predisposes so. By the way, we also have a report from the ministry of STF himself, to this regard. [...] So, it is counted as extra-class time for during the recess the teacher is not interacting with the student. It is a time for himself. He can have a cup of coffee; he can elaborate an activity; he can meet his pairs; he can correct an exercise, meet a parent, this time for the

20- Available at: <<http://www.redebh.com.br/>>. Accessed in: jul. 2017.

teacher is extra-class. In this time, he is not in the classroom. Interview with the Municipal Education Secretary. (ROCHA, 2017).

When questioned about what meeting the vindication of the teacher for the exclusion of the recess of the composition of the time for extra-class activity would demand from PBH, the secretary affirms that would be necessary created approximately 1,400 new posts at RMEBH, what would implicate in an increase of the costs with personnel. It is what we can observe in the excerpt below.

Legally we understand that the right of the teacher is preserved, considering that one third of his working day is dedicated to himself. There are the activities without interaction with the students. This is the legal base, alright? Now, if we were to make a study of what that means, supposing there wasn't a legal basis...For there is. I want to record and emphasize that. Evidently, we don't need to say too much, calculate too much. Evidently that should not be a quantitative much bigger, a quantitative of more than a thousand teachers, posts. Let's call it so, 1,400 posts. Something like that. If we take the case of childhood education, for example, that our student stays here in the stage of nursery, he stays here around 10 hours and a half hour a day, and the teacher only stay three hours interacting with the student. You can imagine how many teachers we need in a class, full-time. If we make this quick calculation, we find that we need about seven or eight teacher, a day. Interview with the Municipal Education Secretary. (ROCHA, 2017).

We observe, therefore, that considering the recess time (twenty minutes) is a strategy of PBH to cheat the extra-class time. The teacher is harmed in the hour-activity, as well as in the remuneration value due to the proportionality, that constitutes one more device to guarantee in practice the determinations contained in the laws.

Thus, we observe that the PSPN law, differently of the valuation of the teaching it preconizes, have replaced the historical parameter of teacher fights, and in its place, instituted the value of PSPN, that, besides being lowered, is doubtful in relation to the teacher working day and only refers to public teaching. In the private educational system, that lowering is even greater, for in general, the teachers perceive a remuneration below the value of PSPN and do not have extra-class activity time for planning during his working hours. We can observe, thus, that it is a devaluation policy that impacts the totality of education workers.

Final considerations

Pimentel govern (2001-2008), propelled, since 2003, the creation of the UMEIs and the post of EI. Thus, the career and remuneration of the teachers at RMEBH began, again, to be differentiate between the teaching stages with specific rules for progression by scholarship with higher education.

The specific career for childhood education with a lower remuneration, more precarious work conditions, as well as the lack of management autonomy of the UMEIs, appear together with a process of privatization of the schools, at one hand, and of precarization and proletarianization of teacher work, on the other hand.

We can observe that PSPN was not being used as parameter in the salary campaigns at RMEBH due to the dubiety of the law that opens the possibility of polemic between the antagonists, regarding the working week up to forty hours. Thus, RMEBH uses this in order not to pay the teachers the whole amount of PSPN, applying proportionality to the value. That practice is found in many education systems, which proves to be a tendency. Concerning the extra-class time, a third of the working day, Lacerda govern (2009-2016) continued to disregarding, effectively, that legal determination, since the recess time if counted for that time. The justification to cheat is merely economic.

Sind-REDE/BH actuates critically and defensively in front of those policies, but its action is not enough to prevent those processes, that require an effort much broader of the working class.

PSPN is presented as an advance on the conquer of rights by the primary education teachers towards their valuation. However, the municipal legislation of Belo Horizonte ratifies its disregarding and the dismantling of the career, as well as the devaluation of the childhood education teacher.

Such measures converge with the interests of the business sectors that enter more and more avidly the educational area, inclusively the fundamental education and childhood education, which appears as a new and promising niche of market.

The actions of capture of public resources by those sectors by means of the multiple forms of privatization and the destruction of the public and free school is a *sin ne qua non* condition for the success of their present and future enterprises. We observe that the educational area, as well as the other social sectors, is turned into the spaces foreseen in the last decades, reaches its peak today. The structural readjustment undertook by the bourgeoisie by means of the State and its institutions presents itself as an answer to that crisis.

Thus, the State, by means of those distinct institutions, keeps on performing its role of representing and defending the interests of the bourgeoisie, to the detriment of the working class.

It is needed to amplify the analysis in order to verify how this happens at the present moment, in the educational field. Said that, it is worth mentioning that the analysis of the remuneration policy for the teachers of RMEBH, of their career, as well as the analysis of what impacts all the worker in the current scenario, requires a theoretical effort that takes into consideration the context that involves those objects, but also of the structural requirements of capitalism, that re-present themselves under new clothing.

As we mentioned before, capitalism is structured once more today in order to answer the deep economic crisis that weakens it and at the same time requires it to demand and impose profound losses to the working class in general, and to the teachers in particular.

The private expansion requires a low cost labor force, in order that the profit goals at the levels longed by the bourgeoisie can be achieved.

The Achilles' heel in that politic and economic project renewed on the current context relies on the increase of workers' exploitation. In the education sector it is expressed by the stronger vulnerabilization and proletarianization of the teachers.

In any case it is heated the class struggle and it is open the potential of massive perception of those workers about their class belonging and their historic task of social change and human emancipation.

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