

Grisolia Derecho Laboral Pdf

Julio Armando Grisolia

Manual de derecho laboral Julio Armando Grisolia, 2018 El manual realiza un abordaje teórico-práctico y jurisprudencial integral del derecho laboral, analizando lo esencial de cada instituto, con la legislación vigente (transcripción de las principales normas) y la jurisprudencia actualizada. Se citan ejemplos y se incluyen cuadros demostrativos, gráficos y liquidación de indemnizaciones. Los temas que tienen un desarrollo más extenso son los de mayor trascendencia y utilidad en el ejercicio profesional y los que surgen de las preguntas de los cursos de grado y posgrado. Esta décimo tercera edición 2017, revisada y actualizada, está basada en el Tratado de derecho del trabajo y de la seguridad social (Grisolia, Julio A., 6 tomos, 2a. edición, 2017, La Ley), que ha tenido una amplia repercusión y difusión. En esta nueva edición se revisaron y actualizaron todos los temas que lo requerían, reemplazando e incorporando las nuevas normas y enfoques en los diferentes capítulos, con las concordancias y nueva normativa del Código Civil y Comercial de la Nación, y se agregó jurisprudencia de los últimos dos años. --Contratapa.

Protección de los derechos de los trabajadores Jorge Mario Benítez Pinedo, Bermúdez Katherine Bermúdez Alarcón, Cristian Alfredo Orozco Espinosa, 2020-06-02 En el ordenamiento jurídico nacional, existen varios procedimientos para liquidar una empresa, los cuales dependen de la naturaleza jurídica y del sector en que desarrolla actividades la entidad que se va a liquidar. Esto hace que haya ocasiones en que los acreedores no tienen claridad sobre la normatividad aplicable, tampoco acerca de la autoridad competente ni del procedimiento que se debe seguir. Esta situación de duda sobre la norma se presenta también en los trabajadores que han prestado servicios a esas entidades y que, por ende, tienen acreencias laborales por reclamar. Del análisis de los principales procedimientos de liquidación, se evidencian varias dificultades para que los trabajadores logren el pago de sus derechos laborales. Estos inconvenientes se generan por varias razones: la forma en que se avisa el inicio de la liquidación; el término perentorio para presentar créditos; la dificultad probatoria respecto a la existencia del crédito; y la falta de claridad en la forma y oportunidad para alegar la aplicación del principio de primacía de realidad sobre las formas en caso de que la entidad que se va a liquidar haya ocultado una relación laboral verdadera en desmedro de los derechos irrenunciables del trabajador. Las leyes que regulan los procedimientos de liquidación empresarial y de insolvencia de personas naturales tienen una orientación comercial. Aunque estas leyes no tienen por qué centrarse en la protección de los derechos de los trabajadores, no pueden desconocer que estos derechos son de orden público e

irrenunciables. Por esta razón, la regulación actual requiere algunas modificaciones en las que no se mute su esencia, pero por medio de las cuales sí se dé un mejor respaldo a los créditos laborales. Por lo anterior, se formuló un proyecto de investigación para conocer cuáles son los problemas generados por la ley en los procesos de liquidación empresarial y de insolvencia en lo referente a la protección adecuada de los créditos laborales cuando un empleador se acoge a ellos. Así mismo, se indaga sobre las modificaciones que se deben implementar para remediar tales problemas. Como se refleja en los tres capítulos del presente libro, el desarrollo del proyecto implicó estudiar en la ley y en la jurisprudencia laboral la causal de terminación legal del contrato de trabajo en lo referente a la liquidación o clausura definitiva de una empresa o establecimiento. Esta causal está prevista en el literal e) del artículo 61 del Código Sustantivo del Trabajo, subrogado por el artículo 5 de la Ley 50 de 1990. También se revisó la legislación comercial sobre liquidación de empresas e insolvencia de personas naturales, su ámbito de aplicación, las etapas que incluye la liquidación, la forma como opera respecto a los créditos laborales y las garantías que existen en la actualidad para estos últimos. El proyecto asimismo conllevó analizar los problemas que se presentan, desde la perspectiva del derecho laboral, respecto a la protección de los derechos irrenunciables de los trabajadores. Por último, se plantean algunas posibles soluciones. Esta investigación fue adelantada por los investigadores del grupo de Flexibilización laboral del Departamento de Derecho Laboral de la Universidad Externado de Colombia.

Tratado de inteligencia artificial, ciberdelincuencia, derecho digital, deportivo y bioética JORGE ISAAC TORRES MANRIQUE, 2024-04-04 “A obra organizada pelos professores Jorge Isaac Torres Manrique e Ana Alice De Carli, destacados pesquisadores na seara dos Direitos Fundamentais, seleciona trabalhos que demonstram um compromisso científico do mais elevado nível. Assim, é com grande satisfação que apresento o prefácio para a obra Tratado de Inteligência Artificial, Ciberdelinquência, Direito Digital, Desportivo e Bioética. Este livro é uma obra abrangente e atualizada que aborda temas críticos relacionados à tecnologia, ao direito e à ética. A obra se insere nesse novo modo de compreender fenômenos que inovam procedimentos, promovendo o necessário debate sobre a forma de sua aplicação e sua sintonia, alertando para o respeito à ética, para o reconhecimento da dignidade intersubjetiva, por conseguinte, demonstrando a preocupação com a concretização dos direitos fundamentais, considerando-os vitais para a sobrevivência das espécies em uma sociedade sadia”.

La corrosión del trabajo. Estudios sobre informalidad y precariedad laboral ,

Estudios de Derecho de la Judicatura Javiera Cid Vega, Cristóbal Grisolia Jorquera, Diego Molina Conzué, 2017-09-30 La presente obra reúne una selección de ponencias presentadas, tanto por alumnos, investigadores, especialistas y profesores de derecho, en los III, IV, V y VI Congresos Estudiantiles de Derecho de la Judicatura, iniciativa de los estudiantes de Derecho de la Pontificia Universidad Católica de Valparaíso, en la cual se procura cultivar el estudio y reflexión de esta

particular e incipiente disciplina jurídica.

Protección de los derechos de los trabajadores en las liquidaciones de empresas, establecimientos y patrimonios de personas naturales Jorge Mario Benitez Pinedo, Katerine Bermudez Alarcon, Cristian Alfredo Orozco Espinosa, 2020-08-31 En el ordenamiento jurídico nacional, existen varios procedimientos para liquidar una empresa, los cuales dependen de la naturaleza jurídica y del sector en que desarrolla actividades la entidad que se va a liquidar. Esto hace que haya ocasiones en que los acreedores no tienen claridad sobre la normatividad aplicable, tampoco acerca de la autoridad competente ni del procedimiento que se debe seguir. Esta situación de duda sobre la norma se presenta también en los trabajadores que han prestado servicios a esas entidades y que, por ende, tienen acreencias laborales por reclamar. Del análisis de los principales procedimientos de liquidación, se evidencian varias dificultades para que los trabajadores logren el pago de sus derechos laborales. Estos inconvenientes se generan por varias razones: la forma en que se avisa el inicio de la liquidación; el término perentorio para presentar créditos; la dificultad probatoria respecto a la existencia del crédito; y la falta de claridad en la forma y oportunidad para alegar la aplicación del principio de primacía de realidad sobre las formas en caso de que la entidad que se va a liquidar haya ocultado una relación laboral verdadera en desmedro de los derechos irrenunciables del trabajador. Las leyes que regulan los procedimientos de liquidación empresarial y de insolvencia de personas naturales tienen una orientación comercial. Aunque estas leyes no tienen por qué centrarse en la protección de los derechos de los trabajadores, no pueden desconocer que estos derechos son de orden público e irrenunciables. Por esta razón, la regulación actual requiere algunas modificaciones en las que no se mute su esencia, pero por medio de las cuales sí se dé un mejor respaldo a los créditos laborales. Por lo anterior, se formuló un proyecto de investigación para conocer cuáles son los problemas generados por la ley en los procesos de liquidación empresarial y de insolvencia en lo referente a la protección adecuada de los créditos laborales cuando un empleador se acoge a ellos. Así mismo, se indaga sobre las modificaciones que se deben implementar para remediar tales problemas. Como se refleja en los tres capítulos del presente libro, el desarrollo del proyecto implicó estudiar en la ley y en la jurisprudencia laboral la causal de terminación legal del contrato de trabajo en lo referente a la liquidación o clausura definitiva de una empresa o establecimiento. Esta causal está prevista en el literal e) del artículo 61 del Código Sustantivo del Trabajo, subrogado por el artículo 5 de la Ley 50 de 1990. También se revisó la legislación comercial sobre liquidación de empresas e insolvencia de personas naturales, su ámbito de aplicación, las etapas que incluye la liquidación, la forma como opera respecto a los créditos laborales y las garantías que existen en la actualidad para estos últimos. El proyecto asimismo conllevó analizar los problemas que se presentan, desde la perspectiva del derecho laboral, respecto a la protección de los derechos irrenunciables de los trabajadores. Por último, se plantean algunas posibles soluciones. Esta investigación fue adelantada por los investigadores del grupo de Flexibilización laboral del Departamento de Derecho Laboral de la Universidad Externado de Colombia.

Violencia y acoso en el trabajo. Significado y alcance del Convenio N° 190 OIT en el marco del trabajo decente (ODS 3, 5, 8 de la agenda 2030) Manuel Correa Carrasco, María Gema Quintero Lima, 2021-05-18 La aprobación en 2019 del Convenio núm. 190 de la Organización Internacional del Trabajo, sobre la violencia y el acoso laboral, coincidiendo con la celebración del Centenario de dicha organización, brinda una nueva oportunidad de análisis sobre la necesidad de permear las ideas de Dignidad, Derechos Fundamentales y Trabajo Decente en el debate del Futuro del Trabajo. Como resultado del Congreso Internacional celebrado en la Universidad Carlos III de Madrid (2020), en esta obra se aglutinan distintas aportaciones que se centran, de una parte, en los aspectos más significativos y cruciales del Convenio 190 (definiciones, ámbitos objetivos y subjetivos generales de aplicación, mecanismos de implementación) y, de otra, en algunas experiencias comparadas. Desde ambas perspectivas, no se obvian las potencialidades del Convenio para resolver problemáticas ligadas a las especificidades que la violencia y el acoso en el trabajo presentan para algunos colectivos (como es el caso de las mujeres), así como las que se ponen de manifiesto a través de instrumentos de importancia emergente por su capacidad lesiva (nuevas tecnologías). En el caso de la legislación española, la eventual ratificación del Convenio ha de entrañar no pocos efectos en la configuración de los distintos mecanismos de protección jurídica, que también quedan analizados. En suma, el Convenio 190 OIT se puede concebir como un paso importante en la consecución de los objetivos vinculados a la Agenda 2030, por cuanto la lucha por la eliminación de la Violencia y el Acoso en el trabajo, como ingrediente esencial de la idea de Trabajo Decente (ODS 8), no deja de estar imbricada con la protección de la salud y la promoción del bienestar laboral (ODS 3) y la eliminación de la discriminación por razón de género (ODS 5).

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