

Curso De Cobranza Pdf

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Bases Para Una Modificacion del Regimen de Cobranza Coactivo en el Tributario Chileno ,

Trabajo a través de plataformas digitales Ramón Alfredo Aguilar,2023-11-05 En un mundo en el que la tecnología está revolucionando todas las formas de interacción humana, la “Economía de Plataformas” ha venido a renovar y potenciar la forma de hacer transacciones en sectores económicos tradicionales. Se trata de modelos de negocios disruptivos, que han logrado la masificación del intercambio de bienes y servicios, de forma ágil, segura y con menor costo para los consumidores, constituyéndose en fuente de nuevas oportunidades y formas de empleo autónomo. Sin embargo, para muchos entendidos, estas nuevas modalidades conducen a la “precarización” de las condiciones en que se prestan estos servicios, especialmente por la falta de protección del Derecho del Trabajo y de la Seguridad Social. Esta realidad, ha llevado -en esta fase aún inicial- a la búsqueda de soluciones enmarcadas en la caracterización de la prestación de servicios a través de plataformas (transportistas públicos, tipo Uber, o repartidores o riders), dentro de la clásica separación binaria del Derecho del Trabajo: “asalariados vs. autónomos”. En torno a lo cual, el autor plantea un amplio estudio de derecho comparado, revisando y analizando las “soluciones” legislativas y judiciales que han brindado diversos países y los criterios de doctrinarios especializados en la materia, encontrando una situación compleja, de criterios contrapuestos y soluciones disímiles y parciales. De su parte, y en lo que concierne a la caracterización, el autor propone la aplicación de la Recomendación R198 de la OIT y de otros indicios aportados por la jurisprudencia latinoamericana, para delimitar la verdadera naturaleza de estos trabajadores, concluyendo en su autonomía. Al mismo tiempo, se reconoce que la caracterización de la actividad y los sujetos de la relación, por si sola, no resuelve los problemas que derivan de la vetustez de la clasificación binaria, ni de la “huida del Derecho del Trabajo” que, ahora, no solo proviene de mecanismos defraudatorios sino de auténticas formas atípicas y autónomas de trabajo, que también requieren de la protección del Derecho del Trabajo y especialmente del Derecho de la Seguridad Social. De esta manera, se alerta sobre la necesaria revisión del Derecho del Trabajo y/o la universalización del Derecho de la Seguridad Social para todos los trabajadores autónomos y se proponen vías idóneas para avanzar en este cometido. Esta meticulosa obra contiene un detallado panorama del trabajo a través de las plataformas digitales desde una perspectiva amplia e integradora, pues no se limita a presentar los aspectos teóricos de la situación sino que, con una visión más pragmática, aplica los indicios planteados en la Recomendación R198 de la OIT y formula una serie de propuestas

basadas en el diálogo social; el reconocimiento de nuevas formas de vinculación laboral (parasubordinados, autónomos económicamente dependientes, “trabajadores digitales”); la extensión de derechos para los autónomo en general; y otras garantías inherentes al mundo digital (reputación digital, algoritmos, etc.); que pudieran llevar a los países a unificar políticas públicas que permitan obtener mejores resultados que los alcanzados hasta ahora.

El Derecho de Sociedades dominicano en perspectiva con el interés social y sus efectos en el animus societatis Juan Francisco Adolfo Puello Herrera, 2024-03-06 En esta obra se presenta un panorama bastante extenso sobre el Derecho de Sociedades en la República Dominicana, tratando con especial atención la actualidad del animus societatis como requisito del contrato de sociedad y su sustitución por el interés social, llevando a la consideración el aspecto jurídico problemático que permite justificar intuitivamente su elaboración, que arranca, por una parte, de la forma como está estructurado el Derecho Societario, visto no como un conjunto de normas independientes entre sí, sino que conforma un campo normativo en que cada una de sus partes guarda estrecha relación con las restantes. En ese orden, se presenta el interés social como una vía que posibilita que un sentimiento como la affectio societatis se haga patente en la relación contractual que se desprende del contrato de sociedad, asumiendo que a través de ese interés social la voluntad expresada en el momento de la constitución de la sociedad le dé sentido a la calidad de asociado.

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