









ORIGINAL

Job stability and its constitutional dimension. Presentation of cases from the Decentralized Autonomous Government of Guaranda, Ecuador

La estabilidad laboral y su dimensión constitucional. Presentación de casos del Gobierno Autónomo Descentralizado de Guaranda, Ecuador

Andrés Sebastián Ibarra González¹  , Nelly Alexandra Verdezoto Aguiar¹  , Erika Priscila Cahuasqui Molina¹  , Fátima del Rocío Núñez Aguiar¹  

¹Universidad Estatal de Guaranda. Guaranda, Ecuador.

Cite as: Ibarra González AS, Verdezoto Aguiar NA, Cahuasqui Molina EP, Núñez Aguiar F del R. Job stability and its constitutional dimension. Presentation of cases from the Decentralized Autonomous Government of Guaranda, Ecuador. Salud, Ciencia y Tecnología. 2025; 5:1614. <https://doi.org/10.56294/saludcyt20251614>

Submitted: 14-09-2024

Revised: 01-02-2025

Accepted: 01-08-2025

Published: 02-08-2025

Editor: Prof. Dr. William Castillo-González 

Corresponding author: Andrés Sebastián Ibarra González 

ABSTRACT

Introduction: the right to work arises with the purpose of safeguarding the worker due to their condition as a human being. The protection of work as a fundamental human right allows people to participate in production and society, while simultaneously ensuring an adequate quality of life.

Method: a qualitative study was conducted with intentional non-probabilistic sampling; it constitutes a case study with two units of analysis based on the records of cases presented in the courts of the Guaranda canton, Bolívar, in 2018.

Results: Irregularity in compliance with laws concerning job stability was identified in Ecuador.

Conclusions: this article highlighted the need to improve the legal and administrative systems that protect this right in Ecuador, promoting a fairer and more equitable work environment.

Keywords: Job Stability; Right to Work; Worker Protection; Job Stability Relationship; Legal Systems.

RESUMEN

Introducción: el derecho al trabajo nace con la finalidad de salvaguardar al trabajador por su condición de ser humano. La protección del trabajo como derecho humano fundamental permite a las personas participar en la producción y en la sociedad, garantizando al mismo tiempo una calidad de vida adecuada.

Método: se realizó una investigación cualitativa con muestreo no probabilístico intencional, constituye un estudio de caso con dos unidades de análisis basada en los expedientes de causas presentadas en los tribunales del cantón Guaranda, Bolívar, en 2018.

Resultados: se identificó irregularidad del cumplimiento de las leyes con relación a la estabilidad laboral en el Ecuador.

Conclusiones: este artículo resaltó la necesidad de mejorar los sistemas legales y administrativos que protegen este derecho en Ecuador, fomentando un entorno laboral más justo y equitativo.

Palabras clave: Estabilidad Laboral; Derecho al Trabajo; Protección al Trabajador; Relación de Estabilidad Laboral; Sistemas Legales.

INTRODUCTION

Over time and through revolutions in human history, characteristics have been incorporated into work, changing its definition. It is necessary to recognize the right to know the scope of its protection. The right to work was established to protect workers as human beings, as they had been subjected to the arbitrary behavior of their employers in previous decades.⁽¹⁾

Human life has historically been characterized by work, not only as a means of subsistence, but also as a defining factor of one's sense of self and dignity. Socially, work facilitates integration into the community, the development of skills, and contribution to the general well-being.

Work can foster personal and professional growth, leading to greater self-esteem and overall life satisfaction, while building a social network through work promotes a sense of camaraderie and fellowship. Income generated from employment is crucial to meeting basic needs and improving quality of life.

Work, in its simplest form, refers to the physical or intellectual activity that human beings must perform to accumulate wealth. This definition is currently insufficient, as work does not have the sole purpose of generating wealth. On the contrary, some authors argue that labor law aims to distribute wealth among those who participate in the employment contract. It is essential to examine these views, as the economic function of work will always be a subject of debate. Some employers argue that all goods and services should be reserved for the owners, while others suggest that profits should be distributed among all individuals involved in production.

The sense of identity and purpose that people experience while working is a vital aspect of their experience. People can showcase their skills and talents through their work, which helps them achieve personal fulfillment and satisfaction.

Promoting interactions between diverse groups and communities is a crucial factor in fostering social cohesion, which can lead to increased feelings of solidarity and collaboration.⁽²⁾

The principle of protective norms is recognized in labor law, which establishes that regulations should be advantageous to workers who are at a disadvantage relative to employers. The inalienability of rights prohibits workers from waiving their fundamental labor rights. The principle that employment is a primary source of income is based on the assumption that employment is a primary source of income, which requires the pursuit of job stability.

A society free from discrimination must respect labor laws and regulations. It guarantees equal employment opportunities and safeguards workers' rights against abuse. Additionally, it fosters a favorable economic climate by regulating labor relations and promoting formal employment.

The International Labor Organization (ILO) maintains that work is a set of activities that belong to everyone, regardless of remuneration, which generates goods or services and provides essential support for improving the lives of workers and their families.⁽²⁾

Labor law is a part of the law that regulates interactions between employers and employees to ensure that fundamental rights are respected and working conditions are fair. Laws protect workers from being mistreated by their employers, ensuring that they have decent and fair working conditions.

Workplace rules encompass various aspects, including compensation, working hours, health benefits, and union rights. This ensures that both employers and employees are happy and balanced.

Workers' rights and labor justice are key concepts in international labor laws. These rules are designed to protect employees and ensure that they work under fair and equitable conditions. Given their importance in helping to create a more just society, there are international laws on these issues, including:

- Article 23 of the 1948 Universal Declaration of Human Rights states that everyone has the right to work, to choose their employment, and to enjoy fair working conditions. This article addresses the right to receive equal pay for equal work and to be protected against unemployment.⁽³⁾
- The International Covenant on Economic, Social, and Cultural Rights (ICESCR) was created in 1966. Article 6 establishes that everyone has the right to choose their work and earn a living freely. Furthermore, Article 7 states that everyone is entitled to reasonable and fair employment, and Article 8 declares that everyone has the right to work, which is the basis for the realization of other human rights and a life of dignity. This includes the opportunity to earn a living through work that is freely chosen or accepted. This covenant also includes provisions on freedom of association and the right to collective bargaining, which are essential for the defense of labor rights.⁽⁴⁾
- The International Labor Organization (ILO) has created numerous conventions that address specific aspects of labor law. Some of the most important are Convention 87, which protects the right of workers to join unions without interference from their employer, and Agreement 98, which defends the right to bargain collectively. ILO Conventions 100 and 111 state that there can be no discrimination in the workplace. This means ensuring that people are paid equally for the same work and adopting rules that eliminate disparities in the workplace.⁽²⁾
- International Mechanisms: International bodies such as labor courts and human rights commissions

are essential for ensuring that rules at work are followed. These groups can investigate reports of workplace abuses and suggest ways to address and correct them.⁽²⁾

- Labor Justice: Labor justice means treating workers fairly and having effective ways to resolve problems at work. It is crucial that workers can advocate for their rights without fear of negative consequences.

Although the regulatory framework exists, many workers still face significant challenges, including:

1. Unequal access to work: Discrimination still exists in many jobs, especially against women, ethnic minorities, and people with disabilities.
2. Precarious working conditions: Many employees do not have a safe working environment and do not receive fair pay, which can result in exploitation.
3. Lack of Protection for Migrant Workers: Migrant workers do not have the same labor rights as local workers, which can lead to serious abuses.

In Ecuador, according to Article 326 of the Constitution, “labor rights are inalienable and intangible,” meaning that any agreement that contravenes this provision will be invalid.⁽⁵⁾ This principle ensures that employees cannot waive their most essential rights and are protected from mistreatment by their employers.

Furthermore, according to the Constitutional Court of Ecuador in 2014, any doubts about labor laws or contracts must be interpreted in favor of workers. This is known as the principle of “indubio pro operario.”⁽⁶⁾

Social security is essential for the right to work in Ecuador. The law requires all workers to register with the Ecuadorian Social Security Institute (IESS) from the first day they begin working.⁽⁷⁾ This membership entitles them to use medical services, receive maternity and sickness benefits, and obtain pensions when they are older or have a disability, among other benefits.

Labor justice is a key concept that refers to the ability of workers to enforce their rights within the legal system. In Ecuador, this implies not only having adequate laws that protect workers, but also having effective mechanisms to resolve labor disputes. The Constitutional Court has emphasized the importance of access to justice for all workers, especially those in vulnerable situations.⁽⁶⁾

Regarding protection mechanisms, workers in Ecuador have the right to file complaints with labor authorities if they believe their rights have been violated. This includes complaints of unfair dismissal, non-payment of wages, or inadequate working conditions. The Ministry of Labor plays a crucial role in this process by offering mediation and resolving conflicts between employers and employees.⁽⁸⁾

When fundamental labor rights are protected, social justice is promoted, and efforts are made to reduce differences in the workplace.⁽⁵⁾

Having strong labor laws helps stabilize the economy by creating a safe and efficient work environment that benefits both employees and employers.⁽²⁾

The state’s responsibility to protect fundamental rights is affirmed by the neoconstitutionalism mentioned in Ecuador’s Constitution. The state’s primary duty is to guarantee the safety of human beings, who have rights. Protecting work as a fundamental human right allows people to participate in production and society, while ensuring an adequate quality of life. Workers and their families benefit economically, which means that their spouses and children will have all their basic needs covered and will be able to engage in other activities, such as education and culture, to maintain or improve their quality of life.⁽⁵⁾

The main objective of labor legislation is to respect workers’ rights and guarantee their stability by preventing arbitrary dismissal and ensuring that jobs are secure and decent. This notion encompasses not only the guarantee of reliable work but also the potential for professional and individual advancement within a fair and equitable workplace. The importance of job stability is recognized as a fundamental pillar for the development of fair and equitable societies, where work is considered a human right.

The 2008 Constitution of Ecuador affirms that work is a social obligation and a right, and the 2008 National Constituent Assembly highlighted the importance of decent work for all. The state’s commitment to protection and adequate working conditions is reflected in this regulatory structure. However, despite the robust legal framework, the labor situation in the country poses significant obstacles that prevent the efficient use of this privilege.⁽⁵⁾

The enforcement and regulation of labor standards is a significant concern. The gap between theory and practice, as highlighted by Paguay et al, points to the occurrence of unfair dismissals and unstable working conditions. The absence of effective mechanisms to enforce labor legislation, combined with a business environment that prioritizes economic gains over worker well-being, can lead to a situation in which job stability is compromised.⁽⁹⁾

In Ecuador, job stability is enshrined in the 2008 Constitution, which states in Article 33 that “work is a right and a social duty” and that “every person has the right to decent work.”⁽⁵⁾ This regulatory framework reflects a state commitment to protecting labor rights and promoting adequate working conditions. However, despite

this solid legal framework, the reality of the labor situation in the country presents significant challenges that hinder the effective exercise of this right.

One of the primary issues is the implementation and enforcement of labor standards. Workers often face unfair dismissal and poor working conditions, highlighting a gap between theory and practice.⁽⁹⁾ The lack of effective mechanisms to enforce labor laws, coupled with a business culture that sometimes prioritizes economic profit over worker welfare, contributes to a situation where job stability is compromised.

The problem is exacerbated by socioeconomic factors, including informal labor practices, which affect a significant portion of the Ecuadorian population. In 2022, INEC reported that more than 60 % of workers in Ecuador are employed in the informal sector, where labor rights are frequently ignored. The impact of this situation extends beyond individual workers and affects the nation's economic and social progress.⁽¹⁰⁾

This article aims to examine job stability in Ecuador from a constitutional perspective, exploring its theoretical foundations and practical implementation. The topic of discussion focuses on the relevant constitutional provisions and their potential impact on workers' rights. The problems faced by Ecuadorian workers in obtaining genuine and effective job stability are addressed, based on the facts that occurred in the canton of Guaranda during 2018.

METHOD

The research conducted is qualitative, using intentional non-probability sampling and a case study methodological design with two units of analysis, focusing specifically on those that respond to the issue of workers' rights violations in the canton of Guaranda.

The research takes into account the two cases studied associated with the violation of workers' rights presented to the Decentralized Autonomous Government of the canton of Guaranda, due to the availability and access to information of the principal author of this study, who is engaged in the free exercise of his profession in this city, thus being able to observe the legal problems that arise there, such as the selected cases in which the ignorance of municipal officials was evident when they terminated the employment relationship with the workers, even though they had job stability and were protected by the collective agreement in force.

It is because of our professional commitment to representing citizens and defending workers that we are addressing the issue of their vulnerabilities and the need to expose the severe shortcomings and errors observed in the administration of justice in Guaranda, when issuing rulings that reveal decisions by judges who do not fulfill their duty to respect, above all, the rights of individuals, in particular the right to work; This forms the basis for the analysis of the cases presented.

A bibliographic review is conducted on the subject of labor and social rights, as well as job security, as described in national and international laws and regulations, scientific articles on the subject, and the criteria outlined in their analyses. It begins with a review of documents such as the Constitution of the Republic of Ecuador and the Labor Code, as well as the provisions of the International Labor Organization and the United Nations, and official documents from various Latin American countries on labor, the protection of persons, forms of labor relations, concerning contracts and agreements, which highlight worker protection, unless there is a valid reason for dismissal or termination.

Furthermore, the investigation is based on the files of two cases brought before the judges of the canton of Guaranda, province of Bolívar, in 2018, when the mayor of the Decentralized Autonomous Government of the Canton terminated the employment relationship of two people who worked as street sweepers in the city. These were two cases that were very similar in terms of the facts but were resolved differently by the labor judges of first instance, since one of them stated that, having signed occasional service contracts, the administrative regime regulated the workers (street sweepers), that is, by the Organic Law on Public Service, and she therefore had no jurisdiction. Still, rather than the judges of the Administrative Court, it was the judges of the Constitutional Court who were responsible for processing the claim for the violated right.

A study is conducted on the legal forms developed by the different interpretations of the judges in the cases under review, even though the grounds for the claims in the analyzed proceedings were the same.

For ethical reasons, the document refers to the first unit of analysis as Worker 1, for the female worker who worked consecutively for three years and seven months. The second unit of analysis is described as: Worker 2, the man who provided his lawful and personal services for two years, three months, and eleven days, all as a municipal street sweeper for the Autonomous Government of Guaranda.

RESULTS AND DISCUSSION

Two court cases are presented relating to the unilateral termination of employment, which are summarized below. These cases involved an abuse of power by the mayor of the city of Guaranda, as well as a violation of the right to work and all the principles and other elements associated with this activity, which is consistent with the criteria of Paguay et al. regarding the irregularity of compliance with laws relating to job stability in Ecuador, where consistency is not always the norm.⁽⁹⁾

Analysis Unit 1

Worker 1 has worked legally and personally as a street sweeper for the Decentralized Autonomous Government of the Canton of Guaranda from June 3, 2014, to December 31, 2017. This task was completed within the established time frame, continuously. This means that he worked for a total of three years and seven months in the organization.

However, this person was suddenly dismissed on December 31, 2017, by the director of Human Resources of the municipality of Guaranda, ending her three-year and seven-month employment relationship as a street sweeper, in which she had enjoyed job stability. Because her work was mainly manual or physical, the law that supported her was the Labor Code, which is why she had job stability. In this way, the municipality of Guaranda disregarded the worker's right by notifying her of the termination of her employment contract, citing her long tenure in the job.

Continuing with the analysis of the case, it is relevant to note that the municipality of Guaranda signed the Eighth Collective Agreement, which has been in force since January 1, 2015. This agreement, as outlined in Article 10, stipulates that municipal employees enjoy job stability for 10 years.

In addition, the collective agreement, as mentioned in Article 21, also specifies that employees will receive a salary of \$577,83 in 2015, \$595,16 in 2016, and \$595,16 in 2017. The municipality of Guaranda is not complying with the collective agreement signed, as evidenced by its failure to pay the stipulated remuneration.

On April 18, 2018, a lawsuit was filed for wrongful dismissal to request recognition of all benefits corresponding to Worker 1.

At the hearing on October 15, 2018, through his attorney, the labor claim was argued to receive the corresponding payments for job stability, wrongful dismissal, eviction, vacations, salary differences, and thirteenth month's salary for the years 2015, 2016, and 2017, as established in the collective agreement. The trustee of the municipality of Guaranda did not appear at the single hearing, despite being legally summoned as recorded in the file, and was therefore unable to present arguments in his defense against the claim.

However, at the time of the ruling, the judge noted that worker one was protected by the Organic Law on Public Service (LOSEP) as a street sweeper. After carefully reviewing the occasional service contracts submitted by the municipality in response to the labor claim, this conclusion is reached, supported by the letter from the director of Human Resources, which refers to the constitutional amendments in force since December 21, 2019, which established that all those working for the public sector are considered public servants under the Organic Law on Public Service. This led to the judge's decision to issue an interlocutory order of disqualification, declaring herself incompetent and ordering that the case be referred to the District Court for Administrative Disputes.

The administration of justice itself violates the rights of workers by considering a street sweeper part of the administrative regime, which deprives them of the benefits established by the Labor Code for employees. Therefore, it can be said that transferring an employee from labor legislation to the scope of the Public Service Law constitutes a violation of rights. This is because the labor code provides better protection for labor rights.

Following the issuance of the interlocutory order and the determination by the District Court for Administrative Disputes of Ambato that the Labor Code protects Worker One, it is concluded that the said court does not have jurisdiction over the case. The proceedings return to the city of Guaranda, and another hearing is held, where the claim is approved and the corresponding amounts are ordered to be paid, as she is a municipal employee of Guaranda and is protected by the Labor Code and the collective agreement.

It is clear that the justice system did not adequately protect labor rights, which is why the Administrative Court of Ambato had to clarify that the worker was protected by the Labor Code, rather than the administrative regime. The delay in the proceedings also represents a violation by the administration of justice, as it does not respect the principle of expeditiousness required in judicial proceedings.

It should be noted that the Constitutional Amendments specify that the new provisions entered into force on December 21, 2015, and will apply from that date onwards. Therefore, they could not be applied to the case of Worker One because he had started working before that date (on June 3, 2014).

Analysis Unit 2

Worker 2 worked as a street sweeper for the Decentralized Autonomous Government of the Canton of Guaranda from September 20, 2015, to December 31, 2017. This work was completed within the established timeframe, without interruption. This means that he worked precisely two years, three months, and eleven days for the institution.

On December 31, 2017, Worker Two was dismissed without notice, having been informed by the Director of Human Resources of the Municipality of Guaranda that his employment relationship with the institution ended on that same date, a decision made without considering his length of service.

It is essential to highlight that worker 2, having worked continuously for two years, three months, and days as a street sweeper, already enjoyed job stability. Since his work involved manual tasks, he was protected by

the Labor Code. Therefore, the municipality of Guaranda, mindful of the employee's right to work, notified him of the termination of his employment relationship, given that he had guaranteed continuity in his job. In other words, he had job stability within the institution.

Continuing with the matter under review, it is worth noting that the municipality of Guaranda signed the Eighth Collective Agreement, which has been in force since January 1, 2015. This agreement stipulates that employees will enjoy job stability for ten years. Furthermore, Article 21 of the aforementioned collective agreement specifies that employees will receive a salary of \$577,83 in 2015, \$595,16 in 2016, and \$595,16 in 2017. The municipality of Guaranda is not complying with the collective agreement signed, as evidenced by the fact that the worker did not receive the corresponding wages in 2015 or the subsequent years, despite both job security and remuneration being addressed in the agreement.

On March 3, 2018, a lawsuit was filed for wrongful dismissal, seeking all the benefits to which Worker Two is entitled as an employee.

At the hearing on June 11, 2018, he was accompanied by his lawyer to defend his claim, which included the payment of job security, wrongful dismissal, eviction, vacation pay, wage differences, and thirteenth month's salary for the years 2015, 2016, and 2017. However, the mayor and the trustee of the municipality of Guaranda did not respond to the claim or appear at the single hearing. For this reason, the judge of first instance accepted the claim and ordered the payment of all the items mentioned in the claim.

In this situation, it can be seen that the administration of justice respects the rights of workers by granting the claim without requiring the intervention of higher courts to correct errors made by judges of first instance, as has been the case on previous occasions.

In this case, the only entity violating workers' rights through its actions is the municipality of Guaranda.

The unilateral termination of employment constituted an abuse of power by the person holding the office of mayor in the city of Guaranda, as well as a violation of the right to work and all the principles and other elements associated with this activity.

In the review carried out concerning other situations of termination of employment contracts by the GAD, CASE No. 23-22-IS processed by the Constitutional Court of Ecuador was identified, in which partial and defective compliance with the judgment was declared, the plaintiff was dismissed from her job, thus depriving her of her legal rights and benefits, such as her remuneration and contributions to the IESS, among others, constituting an example of the inadequate performance of GAD institutions about the job security of their workers.⁽¹¹⁾

On the other hand, the authors Piñas et al.⁽¹¹⁾, in their publication of evidence regarding abuse by employers who violate and undermine workers' right to job stability, refer to situations that occurred during one of the most complex periods in world history, the COVID-19 pandemic, highlighting the arrogance and abuse of the owners of the means of production, leading to job insecurity. The author shares the view that, despite the existing legal framework, many workers face significant challenges in asserting their rights. The struggle for labor justice remains a critical issue in the country.⁽¹²⁾

It is also worth noting Solano's analysis, which highlights that job instability can be a precursor to stress among workers, thereby affecting their health and quality of life—a view that the author also shares.⁽¹³⁾

Thomas makes an interesting point in his work, arguing that access to justice is an essential component of effective labor rights protection. This implies not only having adequate laws but also accessible and efficient judicial systems that allow workers to file their claims without obstacles.⁽¹⁴⁾

The author considers that, in the labor cases mentioned, despite ultimately recognizing the values demanded, it is debatable whether the judges of first instance initially thought that the street sweepers were protected by the administrative regime, which represents a failure in their responsibility to protect the rights of employees. Furthermore, it violates the principle of speed that must prevail in legal proceedings to avoid delays in the administration of justice.

CONCLUSIONS

In the labor cases mentioned above, despite ultimately recognizing the amounts claimed, it is debatable whether the judges of first instance initially considered that the street sweepers were protected by the administrative regime, which represents a failure in their responsibility to protect the rights of employees. Furthermore, it violates the principle of expeditiousness that must prevail in legal proceedings to avoid delays in the administration of justice.

In several public sector institutions, leaders often lack common sense, mistakenly believing that their actions are private and exclusive matters. In other words, they act arbitrarily. This leads to public entities, which are owned by all Ecuadorians, being responsible for covering the costs of their administrators' mistakes.

In conclusion, job security is a fundamental right that must be protected not only through constitutional laws but also through practical actions that ensure its effective application. This article aims to highlight the need to improve the legal and administrative systems that protect this right in Ecuador, promoting a more just and equitable work environment.

REFERENCES

1. Equipo editorial, Etecé. Enciclopedia Humanidades. Disponible en: <https://humanidades.com/autor/equipo-editorial/>
2. Camacho MC. Empleo para jóvenes en las Américas: estrategias y recomendaciones de política. Organización Internacional del Trabajo; 2024. Disponible en: <https://www.oitcinterfor.org/node/6504>
3. 100% Trabajo Decente. Derechos laborales. 2024. Disponible en: <https://www.cnvinternationaal.nl/es/temas/area-resultados/derechos-laborales>
4. Naciones Unidas. OHCHR. Pacto Internacional de Derechos Económicos, Sociales y Culturales. 1966. Disponible en: <https://www.ohchr.org/es/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>
5. Constitución de la República del Ecuador. 2008. Disponible en: https://www.defensa.gob.ec/wp-content/uploads/downloads/2021/02/Constitucion-de-la-Republica-del-Ecuador_act_ene-2021.pdf
6. Corte Constitucional de Ecuador. Sentencia 093-14-SEP-CC. vLex. 2014. Disponible en: <https://vlex.ec/vid/aca-extraordinaria-presentada-or-estuardo-garca-526311414>
7. EcuadorLegal. Derechos y Obligaciones del trabajador y empleador por Código de trabajo. EcuadorLegalOnline. 2025. Disponible en: <https://www.ecuadorlegalonline.com/laboral/obligaciones-derechos-como-empleador-y-empleado/>
8. UNIR. Universidad Virtual. Derecho Laboral: ¿en qué consiste y a qué se aplica? Disponible en: <https://ecuador.unir.net/actualidad-unir/derecho-laboral-que-es/>
9. Paguay Duchi MÁ, Morales Navarrete MA. La estabilidad laboral en el Ecuador. Revista Universidad y Sociedad. 2023;15(2):346-54. Disponible en: http://scielo.sld.cu/scielo.php?script=sci_abstract&pid=S2218-36202023000200346&lng=es&nrm=iso&tlng=es
10. INEC. Registro Estadístico de Empresas 2022. 2023. Disponible en: https://www.ecuadorencifras.gob.ec/documentos/web-inec/Estadisticas_Economicas/Registro_Empresas_Establecimientos/2022/Boletin_Tecnico_REEM_2022.pdf
11. Corte Constitucional de Ecuador. Sentencia No. 23-22-IS/23. 2023.
12. Piñas Piñas LF, Viteri Naranjo B del C, Álvarez Enríquez GF. El despido intempestivo y el derecho al trabajo en Ecuador en tiempo de COVID 19. Revista Dilemas Contemporáneos: Educación, Política y Valores. 2021. Disponible en: <https://www.scielo.org.mx/pdf/dilemas/v8nspe3/2007-7890-dilemas-8-spe3-00011.pdf>
13. Solano Moreno MJ. Inestabilidad laboral en el Ecuador. Un estudio en época de pandemia. Quito: Universidad Politécnica Salesiana; 2022. Disponible en: <https://dspace.ups.edu.ec/bitstream/123456789/23480/1/TTQ951.pdf>
14. Thomas F. La aplicación de las normas del derecho internacional del trabajo en el derecho interno. Revista Latinoamericana de Derecho Social. 2012;(14):183-203. Disponible en: http://www.scielo.org.mx/scielo.php?script=sci_abstract&pid=S1870-46702012000100183&lng=es&nrm=iso&tlng=es

ACKNOWLEDGEMENT

Bolívar State University.

FUNDING

The authors acknowledge that funding was provided by Bolívar State University through Research Group GI-01-2017 via projects PIV-1-2023 and PIV-5-2023 with RCU - 011 - 2024 - 152.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest.

AUTHOR CONTRIBUTION

Conceptualization: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Data curation: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Formal analysis: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Research: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Methodology: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Project management: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Resources: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Software: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Supervision: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Validation: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Visualization: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Original draft: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.

Editing - review and editing: Andrés Sebastián Ibarra González, Nelly Alexandra Verdezoto Aguiar, Erika Priscila Cahuasqui Molina, Fátima del Rocío Núñez Aguiar.