

Research Methodology

Code: 42477
ECTS Credits: 9

Degree	Type	Year	Semester
4313301 Social and Labour Rights	OT	0	2

Contact

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Use of Languages

Principal working language: spanish (spa)

Teachers

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Prerequisites

No specific requirements are required to take this course.

Objectives and Contextualisation

The aim is to offer the student a set of methodological and dogmatic tools that will enable him/her to develop an orderly and systematic method of investigating legal norms and their application to reality.

In order to enable the student to progress in his or her training through a possible doctoral programme, specific techniques and resources will be examined in order to research and produce innovative results in the field of legal-labour relations and social protection.

The achievement of these objectives will be developed fundamentally through the commentary of basic readings relating to the field of labour and social security law as well as the study and analysis of case law.

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Competences

- Analyse, synthesise, organise and plan projects related to the area of study.
- Apply a specific methodology, techniques and resources to conduct research and produce innovative results in the area of specialisation.
- Apply systems, media and technologies for obtaining and providing information in one's profession or research.
- Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
- Show a critical attitude and conscience when interpreting and enforcing the law in particular situations that involve using legal arguments to resolve a dispute or other problem.
- Understand laws, legal institutions and sources of law within a unified, interdisciplinary vision of the legal framework.

- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
- Use advanced study techniques to prepare research projects on the legal regulation of labour relations.

Learning Outcomes

1. Analyse, synthesise, organise and plan projects related to the area of study.
2. Apply a specific methodology, techniques and resources to conduct research and produce innovative results in the area of specialisation.
3. Apply legal methodology to design and execute monographic legal tasks.
4. Apply legal methodology to identify and evaluate social conflicts or problems with legal repercussions.
5. Apply systems, media and technologies for obtaining and providing information in one's profession or research.
6. Apply the most appropriate methodology in order to meet research objectives.
7. Base conclusions on the application of legal methodology.
8. Formulate valid hypotheses for the problems identified in the research topic.
9. Identify and design research projects that are original, achievable and useful.
10. Identify the sources of knowledge in the field of employment legislation and select those appropriate to a particular object of research.
11. Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
12. Integrate the legal categories and apply them in a research project.
13. Interpret and systematise complex ideas contained in legal sources.
14. Interpret legislation and case law in national and international contexts.
15. Make an original contribution to the chosen research topic.
16. Manage legal databases and documents.
17. Seek out, identify and select the research sources (legislation, documents, bibliography and case law).
18. Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.

Content

I. The legal methodology and the research

The design of original, possible and useful legal research projects.

Manage databases and legal documents.

Legal methodology

The legal methodology in the identification and evaluation of conflicts or legal problems with social repercussions.

The legal methodology in the design and execution of monographic legal works.

Identification and selection of research sources (normative, documentary, and case law).

Legal interpretation

II. Sources of Labour and Social Security Law

Formal, material and knowledge sources.

The norms, legal institutions and sources of law creation in a unitary and interdisciplinary vision of the legal order.

Labour relations as a system. Dynamics and dynamism of Labour Law.

Subjects of Labour Law. Antagonism, conflict and cooperation.

III. The transformations of labour law

The "new" ways of organising work and business.

The unfinished search for equality.

The "new" tools for work and control.

Methodology

The student learning process in this module is structured around the three types of training activities specified below:

1) Directed activities

These are those that take place in the classroom, at the times foreseen for the module and under the direction of the teacher in charge. There are two types of directed activities:

- a) the master classes, in which the teacher will present and develop different aspects of the agenda;
- b) the seminars, in which the teacher and the students will carry out the debate and analysis of a reading previously prepared by the students. These seminars may take the form of a preliminary presentation prepared by the students and their subsequent discussion in the classroom.

2) Autonomous activities

They are all those in which the students organize their time and effort in an autonomous way. In the development of this module these activities will be developed individually and will consist of: the reading of bibliography, the elaboration of schemes and summaries, the elaboration of a project or report.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Master classes	20	0.8	10, 14, 11, 18
Presentations	60	2.4	1, 5, 13, 8
Seminars	40	1.6	10, 12, 13, 14, 7, 11, 18
Type: Autonomous			
Research project or report	105	4.2	1, 3, 5, 4, 6, 2, 17, 15, 16, 9, 10, 12, 13, 14, 7, 8, 11

Assessment

The particularities of this subject make it advisable that the evaluation is developed based on the work developed by the student in the form of results in which his work as a researcher is projected. Thus, dispensing with evaluation by examination, the qualification will be obtained essentially from the work that the student develops in the seminars:

Attendance at master classes and conferences: attendance will be worth 30% of the final mark, always bearing in mind that attendance will be required for no less than 80% of the sessions.

Participation in the seminars: Attendance and participation in these will be worth 70% of the final mark. This mark will be obtained through the qualification of the activities proposed by the teaching staff in the form of the resolution of questionnaires, papers or summary works and the participation that the student has in the debates.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Attendance and participation in seminars	70%	0	0	5, 2, 17, 9, 10, 13, 7, 8, 11, 18
Attendance of master classes	10%	0	0	18
Exposition of a research project or report	20%	0	0	1, 3, 4, 6, 2, 17, 15, 16, 9, 10, 12, 13, 14, 7, 8, 11

Bibliography

1. General Bibliography

- Alonso Olea, Manuel y Casas Baamonde, María Emilia: Derecho del Trabajo, Ed. Civitas. Última edición
- Camps Ruiz, Luis Miguel y Ramírez, Juan Manuel: Derecho del trabajo: Ed. Tirant lo Blanch, última edición. Disponible en la biblioteca digital de la UAB.
- Cruz Villalón, Jesús: Compendio de Derecho del Trabajo, Ed. Tecnos, Madrid, última edición
- Goertich Peset, José María: Derecho del trabajo, Ed. Tirant lo Blanch, 8º ed., 2020. Disponible en la biblioteca digital de la UAB.
- Martín Valverde, Antonio, Rodríguez-Sañudo, Fermín i García Murcia, Joaquín: Derecho del Trabajo, Ed. Tecnos, última edición
- Mercader Uguina, Jesús.: Lecciones de Derecho del Trabajo, Ed. Tirant lo Blanch, última edición. Disponible en la biblioteca digital de la UAB.
- Montoya Melgar, Alfredo: Derecho del Trabajo, Ed. Tecnos. Última edición
- Ramírez Martínez, Juan Manuel: Curso básico de Derecho del trabajo y de la seguridad social, Ed. Tirant lo Blanch, última edición. Disponible en la biblioteca digital de la UAB.

2. Specific Bibliography

Some books that may be of interest, without prejudice to others that may be recommended in the sessions, are:

- ALARCÓN CARACUEL, MANUEL RAMÓN: Constitución y derecho del trabajo, 1981-1991 : (análisis de diez años de jurisprudencia constitucional), Marcial Pons, Ediciones Jurídicas y Sociales, 1992. ISBN 84-7248-146-8
- AA.VV (Coord. María Emilia Casas Baamonde, Jesús Cruz Villalón y Federico Durán López), Las transformaciones del derecho del trabajo en el marco de la Constitución española: estudios en homenaje al profesor Miguel Rodríguez-Piñero y Bravo-Ferrer, La Ley-Actualidad, 2006.
- BAYLOS GRAU, A.: "Derecho del Trabajo: un modelo para armar". Trotta, 1991.
- BULYGIN, EUGENIO y ALCHOURRÓN, CARLOS E., Introducción a la metodología de las ciencias jurídicas y sociales, Biblioteca Virtual Miguel de Cervantes, edición digital basada en la edición de Buenos Aires, Editorial Astrea, 1987.
- DE LA BORBOLLA CAMOYÁN, JOSÉ RODRÍGUEZ: "Algunas reflexiones sobre metodología de investigación en Derecho del Trabajo", Temas laborales: Revista andaluza de trabajo y bienestar social, ISSN 0213-0750, Nº 31, 1994, págs. 19-38
- LAHERA FORTEZA JESÚS: "La metodología de los modelos teóricos en la investigación y enseñanza del Derecho del Trabajo", Documentación laboral, ISSN 0211-8556, Nº 92, 2011, págs. 57-76

- MERCADER UGUINA, JESÚS RAFAEL: Modelos metodológicos de la ciencia jurídica y su impacto sobre el derecho español del trabajo: una aproximación en Homenaje a Luis Rojo Ajuria : escritos jurídicos, 2003, ISBN 84-8102-326-4, págs. 411-432
- MERCADER UGUINA, JESÚS RAFAEL: El imposible derecho a la igualdad en la aplicación judicial de la ley en la doctrina constitucional en El proceso laboral: estudios en homenaje al profesor Luis Enrique de la Villa Gil, 2001, ISBN 84-8406-313-5, págs. 587-636
- MERCADER UGUINA, JESÚS RAFAEL: El futuro de los ordenamientos laborales en la era de la globalización" en Globalización económica y relaciones laborales / coord. por Wilfredo Sanguinetti Raymond, Agustín García Laso, 2003, ISBN 84-7800-661-3, págs. 95-118
- RODRÍGUEZ-PIÑERO Y BRAVO-FERRER, MIGUEL, La difícil coyuntura del Derecho del Trabajo, Relaciones Laborales, No 20, Sección Editorial, Quincena del 15 al 31 Oct. 2011, Año 27, tomo 2, Editorial LA LEY
- UMBERTO ROMAGNOLI: "El derecho del trabajo ante la crisis", Revista de Derecho Social nº 58

Software

No specific software is required