

Attachment C Analytical Plan

Analytical Plan

The Department of Labor (DOL) has undertaken a study to measure the presence of worker voice in American workplaces. The measure of voice will be related to individual worker knowledge of Occupation Health and Safety and the Wage and Hour Division rules and regulations.

In preparation for the analysis phase, it is critical to have a thorough understanding of the purpose of each question, how each question will be analyzed in and of itself as well as in conjunction with other questions being asked. The analytical plan is Gallup's initial plan for analyzing the data. Once data are received, there may be significant changes due to data results.

We begin our analytical plan with the hypotheses that grounded the questionnaire development process:

Hypothesis 1: Knowledge correlates with voice – the greater the awareness of one's OSHA/WHM rights, the higher the indexed voice we expect to see. Knowledge will be measured as a composite score of percentage correct items on the quiz (WHM Q24 series and OSHA 25 series), plus Q22, the item where a respondent has to specify their level of understanding of their OSHA/WHM rights.

Hypothesis 2: Experience does not correlate with voice – simply being aware of a workplace concern does not necessarily lead to increased voice. We will examine this hypothesis with respect to both direct (OSHA Q29 and WHM Q28) and indirect experiences (OSHA Q29_1 and WHM Q28_1). Recency will be examined as well; we hypothesize that those who encountered more recent situations in their workplace may be more likely to feel they have a voice in their workplace than those who have not had a recent situation.

Hypothesis 3: Voicing concerns and having an employer address them with retaliation or recrimination leads to lower levels of voice. In contrast, if an employee voices their concern to someone who could do something about it and no recrimination occurs (OSHA Q34 and WHM Q33); we expect to see at least a positive relationship with the voice measure. We expect levels of voice to increase significantly if an employer did something to correct the situation, and decrease if the employer did not do anything about the situation or if there was recrimination. If the worker decided not to tell anyone about the situation (OSHA Q40 and WHM Q41), we hypothesize that may have a negative effect on voice. In addition, if the worker decided not to tell anyone and the reasons had to do with perceptions of their employers being unlikely to do anything about it, we would expect a non-telling situation to be even more negatively correlated with voice.

Hypothesis 4: Voice correlates the specific outcomes and employee loyalty, Q1-Q3. We will test for the directionality of the relationship.

Hypothesis 5: We expect past experience with voicing to impact future likelihood of voicing. The direction of the impact will be positive or negative based on the past reporting experience being a positive or negative one.

Outcome/Loyalty

- Q1. Using a five-point scale, where 5 means extremely satisfied and 1 means not at all satisfied, please rate your overall satisfaction with your current employer?

Using a five-point scale where 5 means extremely likely and 1 means not at all likely, how likely are you to do the following;

- Q2. Recommend your employer to your family and friends as a great place to work
Q3. Leave your employer to work someplace else

Voice**Perceived VOICE**

- Q4. I have the opportunity to provide input into decisions that affect my work.
- Q5. I am involved in helping to set goals for my workgroup or department.
- Q6. My employer *encourages* employees to make suggestions for how to improve the workplace.
- Q7. I make suggestions to my supervisor or management about how to improve the workplace
- Q8. Management always takes suggestions from workers seriously about how to improve the workplace
- Q9. I have held back from making a suggestion about how to improve the workplace because I was concerned about how my supervisor or management would react
- Q10. My employer has an effective process for resolving problems that individual employees have at work
- Q11. If I needed to raise a concern, I'm confident my supervisor would do something to help me.

GENERAL VOICE

The voice section of the survey is comprised of four items that measure the DOL's definition of voice: worker's ability to access information on their rights in the workplace; their understanding of those rights; and their ability to exercise those rights without fear of discrimination or retaliation.

This is the first general measure of worker voice and is not contingent on access to or knowledge of OSHA and WHD rules and regulations. However, a general measure provides an overall comparison that can be used in the future with any program or agency.

Q13. I know enough about my legal rights as a worker to be able to recognize problems when they occur.

Question 13 is a measure of a workers level of basic understanding of their rights as a worker. It is the first item of the Voice index.

Q14. If I wanted to learn more about my legal rights as a worker, I could easily get that information

Question 14 is meant to measure a workers perception of the accessibility of information about their rights as a worker. This is the second variable in the Voice index.

Q15. If I saw something happening in my workplace that I thought was a violation of workers' legal rights, I would speak up about it.

Question 15 is a gauge of the workers perception of whether or not they would speak up or raise a concern. This is the third item in the Voice index.

Q16. I can raise concerns about my rights in the workplace without fear of being treated differently or punished.

Question 16 is a gauge of the workers perception whether their organization is a safe place to speak up. It is useful gauge of management receptiveness to worker input and criticism and is the final input to the Voice index.

Perceived Noncompliance

The perceived noncompliance portion of the questionnaire asks two questions, one each for WHD and OSHA directed at capturing worker perception of violations within these two areas in their workplace. Regardless of which module you get selected for, you will be asked these two questions. The focus is not incident specific but will give a general indication of the workplace climate with regards to labor violations.

Q17. I trust the management of my organization

Q18. I trust my coworkers to always do what is right

Q19. My employer is always open and honest with employees about the way they do business.

Q20. Employees in my workplace are sometimes not paid for the time they work.

Question 20 is meant to be an overall indicator of perceived noncompliance with Wage and Hour rules and regulations.

Q21. Employees in my workplace are sometimes exposed to health and safety risks.

Question 21 is meant to be an overall indicator of perceived noncompliance with Occupational Safety and Health Administration rules and regulations.

WHD Knowledge

Knowledge is the second part of the DOL Voice definition (“their [worker’s] understanding of those rights”). The Wage and Hour Division (WHD) questionnaire module captures data specifically related to WHD rules and regulations. The questions will ultimately form the basis of a knowledge index. The questions chosen are ones that DOL believes should be known by employees across the country, regardless of what their actual work may entail. Questions range from hard to easy and test respondent’s knowledge of their wage and hour rights. If sample sizes are sufficient, the knowledge index should be segmented by industry type and knowledge should be examined by specific industry. In-depth analysis may give WHD officials target data for creating new education campaigns by industry.

Q22A. How much do you know about your legal rights as a worker, in terms of how much you get paid?

Question 22A will give an indication of the respondent’s self-rated level of knowledge about their rights as a worker in regards to wages. Results from this question should be examined in conjunction with industry category, income level, voice question items, and the engagement items.

Q22B. How much do you know about your legal rights as a worker in terms of the hours you are required to work?

Question 22B will give an indication of the respondents self-rated level of knowledge about their rights as a worker in regards to hours worked. Results from this question should be examined in conjunction with industry category, income levels, voice question items, and the engagement items.

Q22C. Are there any laws that specify how much workers get paid for the hours they work?

Q23. What is the current federal minimum wage?

Q24A. Can employers require hourly workers to work for a small amount of time before or after working hours without paying them for that time? (For example in order to help with set-up or close-out?)

Q24B_1. Can an employer require salaried employees to work MORE than 40 hours per week without overtime pay?

Q24B_2. Do employers have to pay hourly workers more than their regular hourly rate when they work more than 40 hours in a week?

Q24C. As you may know, employees who receive “tips” must be paid a minimum of \$2.13 per hour by their employer. If an employee’s tips plus the \$2.13 do not add up to the minimum wage, is the employer REQUIRED to make up the difference?

Q24D. Can an employer deduct time for lunch breaks AUTOMATICALLY for hourly workers, even if the employee did not take that time off?

Question 22 through 24D should be analyzed together to give a measure of the respondent's general knowledge of the existence of laws that ensure workers are treated in a manner specified by WHD rules and regulations. These questions can be compared to responses from the experience items as an indicator of the individual's ability to perceive wrongdoing in the workplace. It is important to pay strict attention to the responses for these items, a lack of knowledge of WHD rules could be a significant factor responsible for an individual respondent's lack or presence of voice.

Experience (WHD)

The experience series of questions examine the individual respondent's workplace experience and any perceived past WHD violations in their workplace. This section captures important behavioral information about how the employee acted in response to any perceived workplace violation.

Q28. Even if you didn't experience it yourself, have you ever known about any of the following possible violations of wage and hour laws in your current workplace?

- A. You or someone you know didn't get paid at all for a day or more of work they performed**
- B. You or someone you know didn't get paid for overtime work**
- C. You or someone you know didn't get paid what the employer promised**
- D. You or someone you know were paid less than the minimum wage**
- E. You or someone you know were required to work off the clock or through breaks**

Question 28A-28E asks the respondent to recall if they remember any specific instance of a WHD violation taking place in their workplace. This series will assist in testing hypothesis 2 and 5 in terms of current and future behavior.

Q28_1. Were any of the violations something that related to you personally, to someone else, or both?

Question 28_1 asks the respondent to identify whether they were personally involved in the violation or if they heard about it second hand. In hypothesis 2, this variable will assist in the analysis of testing direct vs. indirect voice behaviors.

Q29. When was the MOST RECENT time

Question 29 captures the approximate time frame of the most recent violation the respondent was aware of. We are only interested in capturing information about the violation if it occurred within the past five years.

Q31. Briefly, can you tell me what the violation of wage or hour rights was on this MOST RECENT incident?

Q32. Did this MOST RECENT violation relate to you personally, to someone else, or both?

Question 28_1 thru 32 should be examined together. The questions ask the respondent to identify any perceived past workplace violations, the timeframe of when the violations occurred, and whether or not they were directly involved in the violation.

Q33. Still thinking about this most recent incident, please tell me how you realized that there might be a violation of wage and hour rights?

- a. You knew it because your employer told you about your wage and hour rights when you were hired
- b. You had seen a similar violation before or had previous experience with this type of violation
- c. Something just didn't seem right
- d. You were familiar with the law, and knew that it wasn't right
- e. Someone else told you that it was a violation
- f. (IF CODE 2 TO ALL IN Q33 A-E)How did you realize that there might be a violation?
(Open ended) specify_____

Question 33A-F asks the respondent to verify how they knew there was a violation of wage and hour rights. Results from this question will provide a practical assessment of the effectiveness current sources of knowledge of WHD rules and regulations.

Q34. Did you report the situation directly to your supervisor or employer?

Q35. Did you talk to anyone else about it?

Q36. Who did you talk to?

Question 34-36 should be analyzed together. The questions capture who the respondent reported the violation to, if it was reported. It will be important to note if the violation was reported through 'official' channels or through more informal networks and compare to any resulting action. This is the interim step to finding information on the last DOL Voice definition variable which asks about employer recrimination as a result of voicing a complaint..

Q37. Was anyone punished, fined or fired as a result of you raising your concern?

Q38. Was there an inquiry, an investigation or a change in procedures as a result of you raising your concern?

Q39. Please tell me whether any of the following actions were taken as a result of you voicing your concern?

- A. Your supervisor or employer looked into the matter**
- B. There was a formal investigation of the matter**
- C. The employer took action to prevent the violation from occurring again**
- D. You were fired or punished**
- E. Someone else was fired or punished**
- F. Your employer was fined by the government or another authority**
- G. Your employer agreed to pay the amount you/your coworker should have been paid**
- H. Were any other actions taken as a result of you voicing your concern? (specify)**

These are the final part of the DOL Voice definition (without concern of employer recrimination) Questions 37-39 should be analyzed together. They capture the specific action taken as a result of reporting the violation and a range of other possible outcomes. This data should be compared with voice question items to assess the impact the disparate outcome have on future likelihood to voice.

Q40. Please indicate whether each of the following was a reason why you did not talk to your supervisor or employer about the wage and hour violation. It was not serious enough to complain about

- A. It was not serious enough to complain about**
- B. You were asked not to report it**

- C. You did not think you would be taken seriously
- D. You feared losing your job
- E. You feared being treated differently by management
- F. You feared being treated differently by your peers or co-workers
- G. You feared it might put your employer at risk
- H. You feared it might hurt your team performance
- I. You did not know how to report it
- J. (IF Q32=2) It was none of your business
- K. You did not have proof that a violation occurred
- L. There was no way to report anonymously
- M. Someone else reported it so you did not need to
- N. (IF CODE 2 TO ALL IN Q40A-L) What was the reason? (specify)

Question 40A-40N list a variety of reasons the respondent did not report the perceived wage violation. The results from these items should be examined against responses to WHD knowledge components and voice items. Those items that include some sort of employer recrimination will be analyzed separately to see what effect that had on the voice metrics.

Q41. In the future, how likely would you be to raise your concern to your supervisor or employer if each of the following happened?

- A. You are working more than 40 hours a week and not being paid overtime**
- B. You are required to work during your lunch break without being paid**
- C. You are required to work off the clock before or after your shift without pay**

Questions 41A-41C asks the respondent to identify the likelihood they will voice under different violation scenarios. The results from question should be compared to actual experience of perceived WHD violations; if the respondent experienced a violation in the past, it will be important to understand their past experience on their future reporting behavior.

Q42. How likely would you be to talk to each of the following if you were not being paid for the work you were doing?

- A. Your supervisor
- B. Some other supervisor or person in a position of authority in your workplace

- C. A union representative
- D. A community group, worker rights center, faith-based center
- E. U.S. Department of Labor Wage and Hour Division
- F. Other federal government agency
- G. State government agency
- H. Anonymous hotline or suggestion box

Question 42 asks the respondent to report how likely they would be to report a wage violation to a number of different groups and individuals. The data should be examined for a lack of intended reporting to certain groups which can be an indication to what extent workers feel comfortable going to decision-makers with problems.

Q43. Please tell me whether each of the following is a reason why you would not be likely to raise your concern? You don't know how to voice your concern

- A. You wouldn't know who to raise your concern to
- B. You don't think you would be taken seriously
- C. You would fear losing your job
- D. You would fear being treated differently by management
- E. You would fear being treated differently by peers or co-workers
- F. You would fear it might put your employer at risk
- G. You don't think anything would be done about it
- H. You would fear it might hurt your team performance
- I. You may not have proof that it occurred
- J. There is no way to report anonymously
- K. Someone else would be more appropriate to report it

Question 43A-43K will capture the relative importance of the respondent's reasons for reporting the perceived workplace violation.

OSHA Knowledge

The OSHA questionnaire module captures data specifically related to Occupational Safety and Health rules and regulations. The questions will ultimately form the basis of a knowledge index that is intended to be sensitive to changes over time. The questions chosen are ones that DOL believes should be known by employees across the country, regardless of what their actual work may entail. Questions range from hard to easy and test respondent's knowledge of their health and safety rights. If sample sizes are sufficient, the knowledge index should be segmented by industry type and knowledge should be examined by specific industry. For example, workplace safety rules related to working from heights or ladders should be more common knowledge in construction occupation than in health occupations. Disparities in such analysis should give OSHA officials target data for creating new education campaigns.

Q22. How much do you know about your health and safety rights as a worker? By health and safety rights I mean what your employer is required to do to make your workplace a safe environment for you to work.

Question 22 will give an indication of the respondent's self-rated level of knowledge about their rights as a worker in regards to workplace health and safety. Results from this question should be examined in conjunction with industry category, voice question items, and the engagement items.

Q23. Are there any laws that cover what your employer is REQUIRED to do to keep you healthy and safe in your workplace?

Q24. Please tell me whether any of the following statements applies to your workplace.

- A. There are chemicals, dust or hazardous materials in your workplace**
- B. There are loud noises in your workplace, meaning noises so loud that you need to raise your voice to be heard by someone standing near you**
- C. There are employees who work from heights or on ladders**
- D. You work around equipment or machinery with moving parts**

Question 24A through 25D should be analyzed together to give a measure of the respondent's general knowledge of the applicability of health and safety laws in their workplace. These questions can be compared to responses from the experience items as an indicator of the individual's ability to perceive wrongdoing in the workplace. It is important to pay strict attention to the responses to these items, a lack of knowledge of OSHA rules and their applicability could be a significant factor responsible for an individual respondent's lack or presence of voice.

Q25A. Are employers required to provide air conditioning in the summer or heat in the winter?

Q25B. Is some kind of protection from falling required for anyone working up high?

Q25C. Are all employers REQUIRED to train their workers on the hazards of chemicals they might come into contact with?

Q25D. If protective glasses or gloves are required to do your job, can your employer ask that you provide your own glasses or gloves?

Q25E. In a workplace where a respirator is NOT required, do employers have to provide a respirator to any employee that requests one?

Q25F. Do employers have to make sure that the products their employees work with are safe?

Questions 25A through 25F should be analyzed together to give a measure of the respondent's general knowledge of the existence of laws that ensure workers are treated in a manner specified by OSHA rules and regulations. Knowledge is the second part of the DOL Voice definition ("their [worker's] understanding of those rights"). These questions combined will be one indicator of respondent knowledge with respect to OSHA laws and regulations. They also can be compared to responses from the experience items as an indicator of the individual's ability to perceive wrongdoing in the workplace. It is important to pay strict attention to the responses to these items, a lack of knowledge of OSHA rules could be a significant factor responsible for an individual respondent's lack or presence of voice.

Q26 Does your current employer do any of the following to educate workers about their health and safety rights?

Q27. Are you learning about health and safety rights in the workplace from any of the following other resources?

Q28. Does your workplace educate workers about protection from health and safety risks on a regular basis, on an as-needed basis, only when a new employee is being trained, or not at all?

Question 26 through 28 should be analyzed together. The measure will give insight to the frequency and regularity of training about workplace hazards and safety. Responses to these items should be examined against the respondent's self-reported knowledge of OSHA rules and regulations.

Experience (OSHA)

The experience series of questions examine the individual respondent's workplace experience and any perceived past OSHA violations in their workplace. This section captures important behavioral information about what the respondent did in response to any perceived workplace violation. Importantly, the experience section should give insight to why a respondent voiced concern.

Q29. Please indicate whether or not any of the following have ever happened in your current workplace.

- A. You have known about a possible health or safety risk in your workplace. Yes**
- B. Because of conditions at your workplace, you have been injured or gotten sick. NO**
- C. Because of conditions at your workplace, you know someone else who has been injured or gotten sick.**

Q30. When was the MOST RECENT time?

Q33. Did this MOST RECENT risk relate to you personally, to someone else, or both?

Question 29-33 should be examined together. The questions ask the respondent to identify any perceived past workplace violations, when the violations occurred, and whether or not they were directly involved in the violation.

Q32. Briefly, can you tell me what the health or safety risk was on this MOST RECENT incident?

Q34. Still thinking about this most recent incident, how did you realize that it might be a health or safety risk?

- A. Someone became sick or was injured**
- B. You knew it because you had recently received training**
- C. You had seen a similar risk before or had previous experience with this type of risk**
- D. Something just didn't seem right**
- E. You were familiar with the law, and knew that it wasn't right**
- F. Someone else told you that it was a health or safety risk**
- G. (IF CODE 2 TO ALL IN Q34 A-F) How did you realize that there might be a risk? (Open ended) specify _____**

Question 32 & 34 should be should be examined together and will give a good general measure of the respondent's assessment of the incident and why it was a workplace hazard. We will code these health and safety violations into categories that can be analyzed together.

Q35. Did you report the situation directly to your supervisor or employer?

Q36. Did you talk to anyone else about it?

Q37. Who did you talk to? (Open ended)

Q38. Was anyone punished, fined or fired as a result of you raising your concern?

Q39. Was there an inquiry, an investigation or a change in procedures as a result of you raising your concern?

Q40. Please tell me whether any of the following specific actions were taken as a result of you raising your concern?

- A. Your supervisor or employer looked into the matter**
- B. There was a formal investigation of the matter**
- C. The employer took action to prevent the situation from occurring again**
- D. You were punished or threatened with punishment**
- E. Someone else was punished, threatened with punishment, or fired**
- F. Your employer was fined by the government or another authority**
- G. Were any other actions taken as a result of you raising your concern? (specify)**

Question 35 – 40 should be examined together. These items collectively capture who was notified of the hazard and the outcome of the respondent voicing a concern.

Q41. Please indicate whether each of the following was a reason why you did not report the potential health or safety risk to your supervisor or employer

- A. It was not serious enough to complain about**
- B. You were asked not to report it**

- C. You did not think you would be taken seriously**
- D. You feared losing your job**
- E. You feared being treated differently by management**
- F. You feared being treated differently by your peers or co-workers**
- G. You feared it might put your employer at risk**
- H. You feared it might cause your team to lose bonuses or incentives**
- I. You did not know how to report it**
- J. (IF Q33=2) It was none of your business**
- K. You did not have proof that a risk occurred**
- L. There was no way to report anonymously**
- M. Someone else reported it so you did not need to**
- N. (IF CODE 2 TO ALL IN Q41A-L) What was the reason? (specify)**

These are the final part of the DOL Voice definition (without concern of employer recrimination)
Question 41A-41L will capture the relative importance of the respondent's reasons for reporting the workplace hazard.

Decision to Voice

The decision to voice section has a number of items designed to capture a respondent propensity to voice. It will be useful to examine the responses to these items with an eye towards the demographic characteristics, knowledge levels, and experience that are associated with higher or lower propensity to voice. It will be important to identify what factors are most associated with voice, and which are most important in encouraging or discouraging voice.

Q42. In the future, how likely would you be to raise your concern to your supervisor or employer if each of the following happened?

- A. If you witnessed repeated health or safety risks in your workplace**
- B. If you witnessed a very serious health or safety risk**
- C. If you were injured on the job or got sick because of workplace conditions**

Questions 42A-42C asks the respondent to identify the likelihood they will voice under different violation scenarios. The results from question should be compared to actual experience of perceived OSHA violations; if the respondent experienced a violation in the past, it will be important to understand their past experience on their future reporting behavior.

Q43. How likely would you be to talk to each of the following if you suspected a possible health or safety risk in your workplace? Your supervisor

- A. Your supervisor**
- B. Some other supervisor or person in a position of authority**
- C. A union representative 1**
- D. A community group, worker rights center, or faith-based group**
- E. US Occupational Safety and Health Administration OSHA**
- F. Other federal government agency**
- G. State government agency**
- H. Anonymous hotline or suggestion box**

Question 43A-43H measures the likelihood of the respondent voicing to a range of different groups and individuals. It will be useful to examine past voice behavior and response to examine the effect of past experience of future likelihood to voice.

Q44. Please tell me whether each of the following is a reason why you would not be likely to raise your concern?

- A. You don't know who to raise your concern to**
- B. You don't think you would be taken seriously**
- C. You would fear losing your job**
- D. You would fear being treated differently by management**
- E. You would fear being treated differently by peers or co-workers**

- F. You would fear it might put your employer at risk**
- G. You would fear it might cause your team to lose bonuses or incentives**
- H. You don't think anything would be done about it**
- I. You may not have proof that it occurred**
- J. There is no way to report anonymously**

Question 44A-44J captures a range of motivating factors that could impact the respondent's likelihood to voice. Careful examination of these responses by industry will allow OSHA to conduct tailored outreach too specific job types and industry groups and eliminate barriers to voice.