

Supporting Statement A for

National Institutes of Health Workplace Civility and Equity Survey (OD)

OMB# 0925-XXXX and expiration date XX/XX/XXXX

Date: 6/27/2022

Check off which applies:

- New
- Revision
- Reinstatement with Change
- Reinstatement without Change
- Extension
- Emergency
- Existing

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Attachments (save file names to match what is being referenced: (ex: x.baseline; y.screener)

1. Survey with Display Logic Instructions – “NIH Workplace Civility and Equity Survey With Display Logic.pdf”
2. Survey Screenshots – “NIH Workplace Civility and Equity Survey Screenshots 6-15-2022 .pdf”
3. Privacy Impact Assessment - “HHS PIA_PTA_TPWA Climate Survey 4-5-22.pdf”
4. Privacy Act Memo – “NIH Workplace CES Privacy Act Memo.pdf”
5. Invitation and Reminder Emails – “Workplace CES Email Communications.docx”
6. 60-day FRN Comment Log – “60 Day Comment Tracking Log.doc”

A. Justification

All NIH staff (federal and non-federal) will be invited to respond to the NIH Civility and Equity Survey. The purpose of this survey is to assess the workplace climate and evaluate the prevalence of harassment and discrimination at the National Institutes of Health (NIH). Specifically, the results of this survey will facilitate a data driven analysis of the types of harassment and/or discrimination that may be occurring or is perceived to be occurring, by its workers. To this end, where applicable, NIH will leverage these findings to identify areas within NIH that require further investigation, thereby providing opportunities for targeted prevention or mitigation strategies.

A.1 Circumstances Making the Collection of Information Necessary

Executive Order 13985, “Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” is intended to strengthen the federal workforce by promoting diversity, equity, inclusion, and accessibility. In accordance with this Executive Order and laws enforced by the US Equal Employment Opportunity Commission, the purpose of the information collection is to support Diversity, Equity, Inclusion, and Accessibility initiatives across NIH.

The information collection is further supported by the NIH Policy Manual chapter 1311 in its goal of maintaining a work environment that is free of harassment and other inappropriate conduct.

A.2 Purpose and Use of the Information Collection

The information collection program has been funded with approval by the NIH Principal Deputy Director. The information collected in the survey will be used to examine areas within NIH where there may be organizational concentration of discrimination or harassment. The results of the survey will be used by three primary stakeholders: the NIH Civil Branch, the NIH Office of Equity, Diversity and Inclusion, and NIH's UNITE committee. The government contractor, Westat, will administer the survey and provide aggregate results to the Workforce Support and Development Division (WSDD). WSDD will facilitate analysis and reporting to provide to the stakeholders. The term of clearance is 3 years.

NIH staff are provided guidance and training on how to report instances of harassment or inappropriate conduct to the NIH Civil Branch and instances of discrimination to the NIH Office of Equity, Diversity, and Inclusion. However, it is important to continually examine the effectiveness and awareness of the reporting process so that these organizations may best assist NIH employees in instances of harassment/misconduct and discrimination. The results of the survey will allow the organizations above to examine a few areas of inquiry. First, they may examine awareness and NIH staffs' perceptions of the reporting process. This will allow them to observe and improve any gaps or inefficiencies in the reporting process and to implement additional training opportunities for processes that have low awareness. Second, they may examine areas within NIH where there may be increased instances of harassment/inappropriate conduct or discrimination. This includes organizational or functional areas where staff may be experiencing adverse events but not going through the official reporting process. This will allow these organizations to open inquiries into the areas of concern at NIH. It will also allow them to gain an understanding of why staff do not officially report adverse events, which could inform interventional strategies to encourage reporting. Working with Civil and

EDI, NIH ICs will be able to leverage results from the survey to develop and implement more effective strategies to improve the workplace climate and reduce instances of incivility and inequity – see (attachments #1, #2).

NIH established the UNITE initiative to identify and address structural racism within the NIH-supported and greater scientific community. Results from survey questions focused on structural racism will support the UNITE goal to establish an equitable and civil culture and to reduce barriers to racial equity at NIH. Specifically, the UNITE committee will use the results of the survey to examine intersectional instances of discrimination and harassment. The results will inform strategies for tackling the problem of racism and discrimination in science and to promote diversity and inclusion across NIH – see attachments #1, #2.

A.3 Use of Information Technology and Burden Reduction

The survey will be emailed to all NIH employees, trainees, contractors, volunteers, and other staff. Each individual will receive a unique link for their responses that they can use and return to at any time. The survey will be administered through Qualtrics, an online survey platform. Programming will allow responses to be saved as the respondent moves through each item on the survey and for respondents to go back to earlier questions. Respondents will be able to save their responses and resume the survey at a later time whether they elect to finish later or if a hard break-off occurs (i.e., the survey was left open and timed-out or the respondent accidentally closed the browser window). The web survey will include a progress bar, contact information for the helpdesk, and links to additional resources. The survey will be Section 508 compliant and have a responsive design allowing it to be completed on a mobile device. The online method is used to reduce respondent burden and for ease of recording and storing responses. Qualtrics is a FedRAMP certified software. Our team was instructed to include a PIA for this project; the PIA is attached – see attachment #3.

A.4 Efforts to Identify Duplication and Use of Similar Information

Duplication is mitigated by providing unique survey links to individual employees. It is technically possible for employees to take the survey more than once if they use a separate browser or device. However, duplication will be monitored and identified by the survey administrator. Duplicate responses will be removed prior to analyses.

The survey differs from other NIH-wide information collection forms, such as the Federal Employee Viewpoint Survey. The survey team developed the questions with the content of other federal surveys in mind. Any overlapping information requested in this survey is specifically intended for comparative purposes, such as to assess a different point in time. The Workforce Support and Development Division (WSDD) at NIH point of contact for all survey development efforts involving NIH staff. Therefore, WSDD will monitor and recommend adjustments to any information collection efforts that may contain future duplication risk.

A.5 Impact on Small Businesses or Other Small Entities

There are no foreseen impacts to small businesses or other small entities.

A.6 Consequences of Collecting the Information Less Frequently

If the information is not collected, or collected less frequently, NIH may miss critical insights as to where hot spots, or problem areas in the organization exist. Some staff may be less likely to come forward and report instances like microaggressions or acts of discrimination. The survey affords an anonymous, low burden method to self-report workplace experiences and assess conditions at the local level. Without the survey, Civil and EDI may not be aware of organizational risk areas that benefit from further investigation and possible mediation. This would reduce ability to act proactively or mitigate situations that may not otherwise be reported.

A.7 Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Not applicable.

A.8.1 Comments in Response to the Federal Register Notice

In accordance with 5 CFR 1320.8(d), on April 27, 2022, a 60-day notice for public comment was published in the *Federal Register* 87 page 25030 (87 FR 25030). Public comment was received – see attachment #6.

A.8.2 Efforts to Consult Outside Agency

Not applicable, as the survey is not intended for recipients outside of NIH.

A.9 Explanation of Any Payment of Gift to Respondents

Not applicable.

A.10 Assurance of Confidentiality Provided to Respondents

The survey will be administered by a contractor, Westat, under procured services by NIH. Westat will maintain the survey, hosted in Qualtrics, a FedRamp certified tool, and will ensure proper encryption of data. Raw data will not be shared with any NIH staff, though it is owned by NIH (per contract agreement). Data will be collected using unique links, which are tied to employee ID and organizational code, but no additional PII is collected or disseminated. Reports will be provided by Westat to NIH in aggregated format (no row data) with suppression rules applied. The system of records notice (SORN) referenced for this system is SORN 09-25-0156, "Records of Participants in Programs and Respondents in Surveys Used to Evaluate Programs of the Public Health Service" – see attachment #4.

A.11 Justification for Sensitive Questions

The consequences of workplace discrimination and harassment are severe, both for individuals and for the NIH and the larger scientific community as a whole. Collecting information about the demographic categories of NIH staff is essential for NIH to adequately support DEIA initiatives and promote a civil environment. It will allow us to equitably examine the workplace climate for NIH staff. The information will

be analyzed at the aggregate level. The results will be used to target areas where harassment and discrimination are occurring and to open areas of further inquiry. All sensitive demographic questions are voluntary. Respondents are notified of the anonymity of their responses on the landing page of the survey. Though voluntary, these questions are being asked as a means to assess which demographic groups may be most impacted by harassment or discrimination in the NIH workforce, thereby allowing organizations to tailor their prevention and mitigation strategies to address such issues. Respondents will also be notified of the purpose of the survey and the maintenance of the data in the email communications to all NIH staff. The following statement is displayed on each page with demographic questions:
 “NIH is committed to promoting a workplace characterized by diversity and inclusion. Given that policy, we are soliciting responses to the following items. Your responses are optional and will be given an anonymous code that will prevent them from being linked to your name, email address or other personal information. Any responses provided will be used to enhance NIH’s understanding of the diversity of its workforce.”

Demographic questions regarding sex, gender, and sexual orientation were developed in consultation with the NIH Office of Equity, Diversity, and Inclusion and the NIH Civil Program, and in alignment with the two-question structure as recommended by the NIH Sexual & Gender Minority Research Office (SGMRO). Questions were designed based on evidence-based best practices on how to best collect data regarding sex, gender identity, and sexual orientation to promote inclusivity. With these survey results, EDI will be able to assess differential impact of harassment and discrimination on various demographic and intersectional groups. These results will contribute to EDI’s larger goal of cultivating a culture of inclusion and diversity of talent.

All NIH staff will be sent an invitation email to take part in the survey. The contents of the email are attached – see attachment #5.

A.12.1 Estimates of Hour Burden Including Annualized Hourly Costs

Table 12-1 Estimated Annualized Burden Hours

Type of Respondent	Number of Respondents	Number of Responses per Respondent	Average Time Per Response (in hours)	Total Annual Burden Hour
NIH Staff	31,517	1	15/60	7,879
TOTAL		31,517		7,879

The Average Time per Response was estimated using a the Qualtrics survey platform average estimate of response time. The number of respondents was estimated based on a 65% response rate out of all NIH staff.

A.12-2 ANNUAL COST TO RESPONDENT

Table 12-2 Annualized Cost to Respondents

Type of Respondents	Total Annual Burden Hours	Hourly Respondent Wage Rate*	Respondent Cost
NIH Staff	7879	28.01	\$220,690.79
TOTAL			\$220,690.79

*Bureau of Labor Statistics: The hourly rate for All occupations was obtained from [May 2021 National Occupational Employment and Wage Estimates \(bls.gov\)](https://www.bls.gov/news.release/ocwage21.pdf) and was used for this calculation.

A.13 Estimate of Other Total Annual Cost Burden to Respondents or Record Keepers

N/A

A.14 Annualized Cost to the Federal Government

Cost Descriptions	Grade/Step	Salary	% of Effort	Fringe (if applicable)	Total Cost to Gov't
Federal Oversight					
Program Manager	13/7	117,339	85%		\$111,472.10
Analytics Lead	13/3	107,248	50%		\$53,624.00
Section Chief	14/7	151,479	25%		\$37,869.75
Branch Chief	14/7	134,953	10%		\$13,495.30
Division Director	15/8	176,300	5%		\$8,815.00
Contractor Cost					\$465,547
Travel					
Other Cost					
Total					\$690,823.15

*the Salary in table above is cited from <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2022/general-schedule/>

The NIH Workplace Civility and Equity Survey information collection is a program-wide effort. The percentages above are estimated for the first year of effort. Future iterations of the survey are expected to have slightly lower percentages of workload.

A.15 Explanation for Program Changes or Adjustments

This is a new information collection request.

A.16 Plans for Tabulation and Publication and Project Time Schedule

A.16 - 1 Project Time Schedule	
Activity	Time Schedule
Survey launch	1 - 2 months after OMB approval
Initial Analyses	4 - 6 months after OMB approval
Aggregate Reporting for dissemination to organizational POCs	5 - 7 months after OMB approval
Final Report	6 - 8 months after OMB approval

A.17 Reason(s) Display of OMB Expiration Date is Inappropriate

The OMB control number will be displayed along with the expiration date.

A.18 Exceptions to Certification for Paperwork Reduction Act Submissions

None