

Working Paper 2

**The Unorganised Worker: Problems at Work, Routes to Support and
Views on Representation**

The Unrepresented Worker Survey 2004

Review of Theoretical and Methodological Issues

Anna Pollert

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**Centre for Employment Studies Research
Bristol Business School
University of the West of England**

Anna.Pollert@uwe.ac.uk

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The survey sample: broad target group

In researching the ‘problems’ of ‘unrepresented workers’, our criteria for sample selection were that the workers had been in employment in the past three years, had experienced a ‘problem’ at work, were ‘lower’ paid and were ‘unrepresented’ in that they were not union members and had no union representation at work. The sample was identified by a telephone survey across Britain, using random digit dialling and using CATI programming. The survey organisation, IFF, conducted the interviews. On the basis of LFS data, the sample was spread to be broadly regionally representative, but other demographics (gender and ethnicity) were left to ‘fall out’ naturally according to who met the sample screening criteria. The rationale for this, and details of telephoning procedure in terms of identifying the sample (including times of calls, numbers of call-backs and techniques to minimise telephone interview bias) are provided in the technical report (Working Paper 1).

Sampling and screening

It was understood from the outset that the key challenge in terms of sampling would be finding individuals who fell into our target audience, ie. who met all 4 screening criteria:

- had experienced problems at work in the last 3 years
- had worked for an employer at the time of the problems
- had been earning a “low wage” at the time (as defined by earning below the weighted average of gross median earnings for 2001, 2002 and 2003 in the appropriate region of Great Britain – sourced from the LFS).
- had been “unrepresented” at the time.

Given budgetary restrictions, we needed to be relatively pragmatic in our approach to overcoming that challenge, but we also needed an end-product which would stand up to scrutiny as a robust piece of research.

Definitions

'Problems' at work

The meaning of 'problems at work' is a complex issue. Even in legal terms, definitions of for example, 'reasonable' or 'unreasonable' behaviour by a worker or employer are open to debate at tribunals and appeals. Just as sociologically, there is a vast literature on interpretations of 'job satisfaction', the experience of work and employment relations, so there is likely to be debate on what constitutes a 'problem' at work. A 'problem' may be considered to be something 'unfair' at a very broad level (e.g. a 'fair day's work for a fair day's pay') without any legal connotation.

In this project, we wished to glean information on experiences which caused worry, difficulty, distress or a sense of unfairness, and might lead to strategies to deal with or resolve the problem. This latter criterion is important, since the project aims not only to capture the problem(s), but possible routes to support and advice, non-action where this is the response, and the reasons for these. Thus the problem could be a 'critical incident', or a chronic situation. At the same time, the conceptualisation requires responses which do not depend on workers' knowledge of their *rights*. Thus, the approach differs from that exploring only problems with potential legal solution, or *justiciable* problems (Genn, 1999). We wish to capture a broad range of problems as subjectively senses, and to separate out whether or not the respondent felt there was an entitlement to rights, which these problems infringed. We include a separate question later in the questionnaire as to whether the respondent thought that their 'problem' infringed their rights.

The focus is on a *substantial* difficulty or worry which could be considered detrimental to satisfactory work experience, and might lead to action. To find this required testing, conceptual discussion and some pragmatic questionnaire prompting to find a compromise between trivial irritations, which we wanted to exclude, and a legalistic approach.

Testing the concept of ‘problem’

The concept of ‘problem’ was tested at various stages of questionnaire design.

- Initial informal cognitive testing by the lead researcher of the term ‘problem’ indicated that the words ‘problem at work’ in an opening question could be too ‘hard’ and eliminate potential problems (and therefore respondents) which would interest us, because of a value-judgement on the implied severity of an issue to justify elevating it to the status of a ‘problem’. This was revealed when probing showed a number of issues associated with workload, irregular or incorrect pay, bullying etc. were experienced by the pilot respondent, but were not initially reported as a ‘problem’. Thus, any attempt to capture problems at work needs to be sensitive to different thresholds of awareness, which themselves are based on a complex set of processes in consciousness at work, including different coping strategies, ranging from consent, compliance, resignation, or various forms of anxiety about or objection to what is experienced. In this early test, people were unwilling to admit that they had ‘a problem’. Further, the concept needs to acknowledge that for many people in ‘vulnerable’ employment (at the lower end of the labour market - those who are the focus of this research), the subjective threshold of a ‘problem’ may be quite high, due to habituation to persistent difficulties. At the same time, there may be many who would enumerate daily irritations which are trivial, which we would avoid in the sample we therefore had to test the concept further.
- During formal cognitive testing with IFF, we tested the phrase ‘difficulty, concern or worry’ as a softer version of ‘problem’. We found that this

did capture substantial problems, but also allowed through many vague concerns, such as broad dissatisfaction with pay or work colleagues, which could flood the sample with respondents who were unlikely to seek support or advice. We therefore decided that this *soft* formulation would be useful at the *appointment* stage to capture as many *potential* respondents – often by speaking to another member of the household before screening the actual person (proxy screening). For the screening, we tested a ‘harder’ phrase which contained the word ‘problem’ (explained further below):

“Have any of the following been a difficulty, concern or problem to you in any job you have had in the past three years?”

- In defining the screening question, we were interested in replicating the DTI definition of ‘problems’ used in the first survey of *Awareness, knowledge and exercise of individual employment rights* (Meager et al, 2002), which would have allowed direct comparison with the DTI research. The DTI used an open-ended question:

“Have you personally experienced any problems at work over the last 3 years in relation to your rights at work?”

The cognitive testing of this formulation revealed the following issues:

- Respondents who said “No” to the DTI question would answer “Yes” to our question, because they considered the DTI question to be referring to their legal rights and in their own case were aware or presumed that their employer was not actually breaking law.
- Without having a read-out list of areas of potential problems, respondents are likely to say “No” even though further probing demonstrated that they *had* experienced one or more of the problems considered relevant to this research. The cognitive testing showed that people needed prompting to recall all the relevant problems they had experienced.

Application of the term ‘problem’

In addition to cognitive testing of a ‘problem’, IFF and the University research team discussed at length its definition, tone, place and sequencing in the questionnaire, whether it was single or multiple, ongoing or past, as well as possible changes to the precise wording as the questionnaire progressed. The final strategy to define ‘problems’ at work was a combination of varying the wording, and using prompts.

1. The *appointments* stage, which was concerned to capture the interest of potential respondents, and often required proxy judgements of household members as to whether another household member might be eligible for interview or not. It required a formulation aimed at not deterring some who *might* have problems but who would, on ‘cold-calling’ discount them. The initial wording was thus broader and softer than ‘problem’ and asked about *‘difficulties, concerns or worries in a job during the last three years’*.

2. At the *screening stage*, however, it was vital that respondents:

- Knew what types of problems we were interested in; and
- Were not put-off by the use of the word ‘problem’.

Hence, the screening question was a combination of slightly harder wording than that for the *appointments*, including the word ‘problem’, but not confined to it, and using prompts. It was formulated as:

“Have any of the following been a difficulty, concern or problem to you in any job you have had in the past three years?”

This was followed by a read-out list of problems. Hence the approach adopted was to see if they had one of a specified (read out) list of problems or concerns, rather than simply asking if they had any problems,

to ensure that they considered concerns that may not be immediately at the top of the mind:

Pay, such as not being paid the correct amount, not being paid regularly, or not receiving pay for holidays or overtime, etc.
Job Security, such as fear of unfair dismissal or being forced to quit
Opportunities
Discrimination towards yourself
Taking time-off
Working hours
Workload
Health and Safety
Concerns relating to your contract or job description
Work relations, such as stress or bullying
None of the above

Cognitive testing showed that most of the problems in the read-out were straightforward and easily understood by respondents. An exception was 'pay'. So that respondents would not respond that they had problems about pay simply because they wanted to be paid more, the read-out was extended with further prompts (see above). A second problem became apparent only with piloting. Here, it became clear that a far larger proportion of respondents reported problems with 'job security' than for other problems. While this may reflect a valid sociological issue of a general rise in insecurity about work, in the context of the questionnaire, this formulation did not allow us to distinguish between a broad worry and more immediate threats to security, which we were interested in. To clarify our meaning, further prompts were added (see above). The effect was to reduce the percentage of respondents responding to this category.

3. Narrowing the problem or problems to one job

After identifying a problem or group of problems, the interviewee was asked to think about only a *main* problem and to focus on the *one job*

where the problem occurred. This job was then screened for the other criteria (earnings, and being 'unrepresented'). If the respondent was eligible by these other two criteria, he/she continued to the main-stage of the questionnaire.

4. As the questionnaire progressed, once the respondents had begun thinking about a 'concern, worry or problem', the terminology became simpler and either referred to 'concern' or 'problem'. This was because the main conceptual hurdle had been passed, and we wished to simplify language.

Earnings threshold

We decided that our target group should focus on '*lower*' paid workers – a broader group than the *low-paid*, as defined by, for example, the minimum wage. After consultation with pay experts, we decided that the median, rather than the mean earnings threshold should be the benchmark for exclusion and that for this, LFS data were considered more reliable than New Earning Survey data, which rely on National Insurance numbers and thus exclude those earning below the National Insurance threshold. The screener required workers who earned *below* 44-time and part-time earnings were distinguished. Because the questionnaire was to focus on a particular job within the past *three* years, a weighted mean over the past three years was calculated as the maximum a worker could earn in order to enter the survey.

Weighted average of gross median earnings for 2001, 2002 and 2003 (LFS) (rounded) used in survey.

		Hourly	Weekly	Yearly
LONDON AND SOUTHEAST	Part-time	6.40	120	6200.0
	Full-time	10.40	425	22100.0
REST OF THE COUNTRY	Part-time	5.30	103	5400.0
	Full-time	8.20	341	17700.0

The ‘unrepresented’

As with ‘problems’ at work, there is a debate about what being ‘organised’ or ‘unorganised’ means and what ‘represented’ and ‘unrepresented’ means. There are arguments that being formally unionised, or covered by a collective agreement, does not necessarily mean being *organised*. These questions are extensively covered in the current debates on the decline in collectivism in the UK and on union revival. While there might have been a logic in including the experience of workers who may have been collectively represented at the *formal* level (were unionised, covered by a collective agreement, *but had no workplace shop-steward or representative*, or who found that their union representation was ineffective), we decided that this broadened the project scope too far, and was not easily operationalised for a survey.

Our approach uses the concept of ‘unrepresented’, rather than ‘unorganised’, since we are primarily concerned with lack of collective representation for individual problems at work. The definition of *the Unrepresented Worker* is based primarily on the ‘non-unionised’. This includes non-union members in non-unionised workplaces – who are likely to be the majority, but also ‘free-riders’, that is, non-unionised workers in unionised workplaces. The latter were included since it was considered that a question to the non-unionised on whether or not their *workplace* was unionised would yield unreliable results that could not be verified by a management question, as in the Workplace Relations Research Series. Such ‘free-rider’ (a minority)¹ remain *unrepresented*, in that they have no recourse to a union for *individual problems*, even if there is one in their organisation or workplace, since they are not members. Unrepresented workers also included union members who are in workplaces without union coverage and whose own occupation is not covered by a union at their workplace.

¹ ‘Free-riders’ (non-union members in unionised workplaces), have been declining over recent years. In the 1998 Workplace Employment Relations Survey, 26 per cent of low paid (using our definition of earning below the median) union non-members were in workplaces covered by collective bargaining, but in 2004, this had fallen to 16 per cent Pollert and Li secondary analysis of WERS, mimeo, forthcoming BERR/DTI Employment Relations Research Paper).

An unrepresented worker may be:

- *Non-unionised*
- *Belong to a union* as an individual, but work in a workplace where no union bargains his/her terms and conditions.

The screening questions to find the 'unrepresented' asked:

1. Were you a member of a trade union at the time you had the concerns in that job? If 'NO', the respondent is included. If 'YES' the respondent is asked (2).
2. In that job, were you working in a workplace where there was a union that was involved in setting or negotiating pay and conditions? If 'YES' the respondent is asked (3). This is because answering 'YES' might apply to an employee or agency worker who belonged to a union, but the union where they worked may not have recognised or bargained with it. If 'NO' the respondent is also asked (3). This might apply to a union member working in a non-unionised workplace, perhaps by a sub-contracted company, whose own conditions *might* be covered by a collective agreement.
3. In that job, were *your* pay and working conditions settled or negotiated by a union? If YES, the respondent is excluded, if NO, he/she proceeds with the questionnaire.

Thus, if the unionised worker worked in a workplace where there *was* a union, but their own pay and condition were not covered (e.g. an agency worker), he/she was considered 'unrepresented' and included in the survey. If the unionised worker worked in a workplace where there was *no union*, the screener still checked whether their *own* pay and conditions were settled by a union, and if NO they were included in the survey. Those who were *unsure* were asked if they paid subscriptions to the committee or organisation they thought might be a union; if they answered 'YES', it was inferred this was a union, and if 'NO', it was considered not to be.

While the design of the screening questions prepared for complex contingencies, in fact the screening proved far simpler. Our results for the total of 501 unrepresented workers showed that the vast majority – 93 per cent – were non-unionised. A very small proportion belonged to a union (6.4 per cent) but these all worked in workplaces where there was no union and in a job in which their own pay and conditions were not settled by a union. One respondent was ‘unsure’ but paid subscriptions, so joined the other unionised workers (32) whose terms were not covered by a union, and another 2 workers were unsure and paid no subscriptions, and 1 could not remember. These 3 were included in the 468 non-unionised workers.

The survey procedure was as follows:

- **Identifying potential respondents** through making an appointment, with as many call-backs as necessary. This involved identifying those who *might* be eligible for interview.
- **Screening for suitability** in terms of:
 1. Problems
 2. Earnings
 3. Being ‘unrepresented’.

While the design of the screening questions prepared for complex contingencies, in fact the screening proved far simpler. Our results for the total of 501 unrepresented workers showed that the vast majority – 93 per cent – were non-unionised. A very small proportion belonged to a union (6.4 per cent) but these all worked in workplaces where there was no union and in a job in which their own pay and conditions were not settled by a union. Just 0.6 per cent were unsure. One was ‘unsure’ but paid subscriptions, so joined the other unionised workers (32) whose terms were not covered by a union, and another 2 workers were unsure and paid no subscriptions, and 1 could not remember. These 3 were included in the 468 non-unionised workers.

Questionnaire mainstage: coverage

Following piloting and cognitive testing, we decided that in some instances, open questions were asked and then coded, and in others, possible responses were read-out as prompts. In the latter case, there were always possibilities for other replies, and where there were several similar 'others', these were coded. The following provides a summary of the Questionnaire coverage.

1. Timing of problem (current, most recent job, job prior to most recent).
2. Disaggregation of each problem into details, with multiple responses possible.
3. Whether the respondent thought that the problem was an infringement of their rights.
4. Whether *action* was taken or not. 'Action' is obviously a broad concept which had to be operationalised for this survey. After piloting, 'Action' had to be narrowed, since 'non-action' was something we wished to explore, and the pilot showed that those who simply chatted to friends and then did nothing else to confront the problem defined this as 'action', as did leaving the job. To eliminate this at the main-stage, some steer had to be provided here. The question was:

Did you do anything about any of those problems in that job – by doing something we mean any action to sort out the problem, from trying to do something with colleagues or friends, seeking advice or support on what to do, or making a formal complaint, or applying to an Employment Tribunal. Did you do anything like that?

The interviewer was also instructed not to count merely resigning from a job as 'doing something', since leaving was probed as a distinct response at a later point in the interview, and routed from 'no action'. The conceptualisation of 'action' thus tries to remain close to that of 'voice' as against 'exit' in industrial relations.

5. If *no action* was taken, the respondents were asked reason, which were answered in open form and then back-coded. These respondents were routed to clarifying later whether they took no action and *remained in the job*, or took no action and *left*.

6. Those participants with several problems and who took action were then asked which problem they 'pushed hardest to resolve', in order to identify one chronic problem or critical incident for further analysis of advice, action and outcomes. If a respondent insisted they had several inseparable problems, they were asked if they handled them separately or together, so as to separate constellations of related problems from others. (Subsequent analysis showed this precaution was not necessary, since extremely few reported such circumstances). Respondents were then routed accordingly to explore action taken.

The questions also identified whether the main problem was in a *current* job and was ongoing or past, or whether it was in a *previous* job. In either case, length of service before the problem arose was identified, partly to establish whether a person had been employed for over a year and thus had unfair-dismissal rights, but also to enable the exploration of the relationship between tenure in a job, the experience of problems and outcomes.

7. A key issue to explore was *Advice*. The respondent was asked if s/he took advice or not, if not, why not, and if yes, whom they turned to. This latter was an open question, which was then coded, and included both informal sources of advice, management, trade unions, the CABx and legal and statutory bodies. Types of advice were then explored with read-out as prompts including advice that 'nothing could be done'. In addition, the questions

established when advice was, the advice given, the advice organisation which had most influence, type of advice regarded as most important (if there were several types) and whether it was followed or not. Those who did not take advice were asked why not. From the pilot, we noted that few people went to the Citizens Advice Bureaux (CABx) compared with studies with a narrower focus on 'problems' – either just those with legal redress, or those defined in terms of *rights*² - so we explore this issue further.

8. The next section further examined *Type of Action*. This was achieved by read-out prompts, which allowed multiple responses and then asked the respondent to choose the *main* form of action. Those who earlier stated they 'did nothing' were asked if they 'did nothing and stayed in the job' or 'did nothing and left'. The question also included the option of starting legal/tribunal proceedings, and those who did not (the majority) were asked the reasons.

9. For those *taking workplace action* (i.e. non-legal action), the following section questioned the results of this action (excluding dropping the problem and exit), whether there was any conclusion or whether negotiations were still ongoing. If concluded, it then asks the level of satisfaction on a five-point scale.

10. For those starting *tribunal proceedings*, the experience was probed including abandoning proceedings and the reasons; agreement and/or conciliation, case dismissed, case completed and case ongoing. If the case proceeded, questions were asked about whether the claimant was represented or not, the involvement of Acas, the outcome of the judgement, whether an award was made, if so, whether the award had been paid, and if not, whether s/he was pursuing the employer for it.

² Genn's (1999) study of justiciable problems during 1997 found that the CABx were the single largest source of advice during any stage of an employment problem (48% of respondents with employment problems), and were the first port of call for almost a quarter. In the DTI study of knowledge and awareness of individual employment rights (Meager et al 2002), among those who had experienced a problem and who sought advice (56%), the largest percent (32%) went to a CAB.

11. This section explored the issue of *collective action* - whether or not others in the workplace experienced the same problem(s) and whether they did anything together or not. Others who mentioned earlier that a form of action included trying to sort things out together were also routed to this section. Depending on where the respondent is routed from, the following are asked.

A range of possible lines of action was explored (with multiple responses possible), whether the problem was solved or not, and whether things became better, worse, or stayed the same after that. Possible management responses to joint action were also explored.

This section also explored the scenario of shared problems but *lack of collective action*, and the reasons for this:

12. The questionnaire focus now moved to the wider experience of the 'problem(s)', including *learning experience – whether, if the same problem arose again, a person would take the same steps again*. If there were other problems in addition to the main one, another chance was provided here to say whether anything had been done about these.

13. Since this survey focused on non-unionised workers with problems at work, an important issue was trade unionism. All respondents were asked if they thought *being a member of a union could have helped resolve the problem(s)* and *whether the experience of problems made them want to become members of a trade union (and if not, why)*. Other union questions included a series of perceptions of trade unions; whether the worker had ever been a union member, and if not why not.

A further means to explore individual and collective orientations to wider issues, which might be of interest to workplace behaviour, was a series of questions on civic involvement and behaviour, such as voting in elections, signing a petition or ethical consumer behaviour, such as boycotting goods or buying only certain types.

14. The final section identified the respondent in terms of sector, occupation, workplace experience, employment form, and demographics including. Of course, these were subjective perceptions.

- Size of workplace where work(ed).
- Gender balance of workplace.
- Ethnic composition of workplace
- Number of people worked with.
- Whether work(ed) in one or several workplaces
- Whether there was the chance to talk to others or not while working.
- Existence of disciplinary/grievance procedures/rules, e.g: *'In the workplace where you had the problems are there set rules for how they should be dealt with?'*
- The existence of regular meetings with management to discuss workplace issues.
- The respondent's contractual employment/work situation (part-time, full-time, permanent, temporary etc.).
- Hours of work per week.
- If over 48 hours per week, whether voluntary or not.
- Pay in terms or pay bands in the job where the respondent had the problem(s).
- Current employment status.
- Current pay.

Interviewing for this study was conducted between 14 October and 24 November 2004, at the IFF Research telephone centre in London. Computer Assisted Telephone Interviewing software (CATI) was used, allowing ease of sample management and automatic routing of the complex questionnaire. Further details are provided in the Technical Report.

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References

- Genn, H. 1999, 'Paths to Justice: What do People Think About Going to Law?' Oxford: Hart Publishing.
- Meager, N., Tyers, C., Perryman, S., Rick, J. and Willison, R., 2002, *Awareness, knowledge and exercise of individual employment rights* Employment Relations Research Series, No. 15, London: Department of Trade and Industry).
- Pollert, A. and Li, Y. (2007, forthcoming) 'The Unorganised Employee in WERS 2004: socio-demographic attributes, workplace characteristics and job experience' Employment Relations Research Series, forthcoming 2007, Department for Business, Enterprise and Regulatory Reform.