

OMB Control Number: 1290-0043

National Worker Survey

OMB Expiration Date: 10/31/25

# **This is a generic Information Collection to add to the umbrella Information Collection Request (ICR) for OMB Control Number 1290 – 0043.**

## **National Worker Survey**

### **Formative Data Collections for DOL Research**

# **Supporting Statement**

## **Part A**

**SEPTEMBER 2023**

### **A1. Necessity for the Data Collection**

The Chief Evaluation Office (CEO) at the U.S. Department of Labor (DOL) seeks approval for conducting formative research to obtain a better understanding of recruitment and administration strategies for Respondent Driven Sampling (RDS).<sup>1</sup> The formative research would assess the

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<sup>1</sup>Garcini, L.M., Galvan, T., Pena, J.M., Chen, N., and Klonoff, E. (2022). Effectiveness of Respondent-Driven Sampling for Conducting Health Studies Among Undocumented Immigrants at a Time of Heightened Immigration Enforcement. *Journal of Immigrant and Minority Health*, 24(1), 102-110.

appropriateness and acceptability of using the RDS method to recruit workers in low-wage industries for a study of FLSA violations and would identify potential challenges in the use of the RDS method and mitigation strategies to address these challenges.

This proposed information collection meets the following goals of DOL's generic clearance for formative data collections (1290-0043):

- inform the development of DOL research
- maintain a research agenda that is rigorous and relevant
- ensure that research products are as current as possible.

### **Study Background**

The Wage and Hour Division (WHD) in the U.S. Department of Labor (DOL) promotes compliance with the FLSA through a balance of strategies, including by investigating allegations of violations and by undertaking industry-based high-impact investigations that employ large numbers of low-wage workers who are members of vulnerable demographic groups (Dolfin et al., 2020)<sup>2,3</sup> Sector-based investigations in high-priority industries have typically been based on the analyses of industries with a history of FLSA violations that employ workers who are less likely to file complaints (Bernhardt, et al., 2009)<sup>4</sup>.

Ideally, agency-initiative investigations would complement complaint-driven investigations by uncovering the most severe of the unreported FLSA violations. However, the data and resources available to identify industry sectors that have a high likelihood of wage and hour violations are limited.

The Chief Evaluation Office (CEO), in collaboration with WHD, contracted with Westat to conduct a nationally representative worker survey to understand the prevalence and nature of violations of workers' rights under the FLSA. The study will design a nationally representative survey of workers with oversamples of workers in low-wage industries where violations are most likely to occur.

Westat will conduct formative research to obtain a better understanding of recruitment and administration strategies for the RDS respondents. The formative research will assess the appropriateness and acceptability of using the RDS method to recruit workers in low-wage

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8088441/#R10>

<sup>2</sup>Dolfin, S., Maxwell, N., Gould-Werth, A., Yanez, A., Deutsch, J., and Hendrix, L. (2020). Compliance Evaluation Strategies Literature and Database Review. Department of Labor.

[https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/WHD\\_ComplianceStrategies\\_LiteratureReview\\_Oct2020.pdf](https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/WHD_ComplianceStrategies_LiteratureReview_Oct2020.pdf)

<sup>3</sup>There is no agreed upon definition of low-wage workers, and different definitions based on hourly wage cutoffs result in populations with different demographic, social, and economic characteristics (Fusaro and Schaefer, 2016). Fusaro, V. A., and Schaefer, H. L. (2016 October). How should we define "low-wage" work? An analysis using the Current Population Survey. Monthly Labor Review, U.S. Bureau of Labor Statistics.

<https://doi.org/10.21916/mlr.2016.44>

<sup>4</sup>Bernhardt, A., Milkman, R., Heckathorn, R., Theodore, N., Auer, M., DeFilippis, J., Gonzalez, A. L., Narro, V., Perelshteyn, J., Polson, D., & Spiller, M. (2009). *Broken laws, unprotected workers: Violations of employment and labor laws in America's cities*. National Employment Law Project (NELP) Report.

<https://s27147.pcdn.co/wp-content/uploads/2015/03/BrokenLawsReport2009.pdf>

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industries for a study of FLSA violations and would identify potential challenges in the use of the RDS method and mitigation strategies to address these challenges.

### ***Legal or Administrative Requirements that Necessitate the Collection***

There are no legal or administrative requirements that necessitate the collection. CEO is undertaking the collection at the discretion of the agency.

## **A2. Purpose of Survey and Data Collection Procedures**

### ***Overview of Purpose and Approach***

The goal of the worker survey is to produce reliable estimates for all covered, nonexempt workers and especially for workers in low-wage industries. This task is difficult because there is no single list or frame of workers by industry, and the percentage of workers in some low-wage industries is very small relative to the population. A very large sample would be required to capture sufficient numbers of workers in low-wage industries to produce precise estimates at the industry level, and screening for workers in these industries would be very expensive. As a result, the worker survey will use a “hybrid” sample design with address-based sampling (ABS) (a probability sample) to sample all covered, nonexempt workers and respondent-driven sampling (RDS) to sample workers in low-wage industries who are likely to be under-represented in the ABS.

The formative research will provide a better understanding of recruitment and administration strategies for the RDS respondents by assessing the appropriateness and acceptability of using the RDS method to recruit workers in low-wage industries. It will also identify potential challenges in the use of the RDS method and mitigation strategies to address these challenges.

The interviews will focus on topics such as the social networks (e.g., how many workers in low-wage industries are in their networks, their communication behavior (such as email, text, or instant messages); their preferences for recruiting others or being invited to a survey (e.g., a personal email or anonymous email from the research team); their preferences for incentives; and the challenges that they perceive to conducting the survey. This information can help tailor the data collection and refine estimates of the number of RDS waves that may be needed. We will also determine if the communication materials are easy to understand and that they encourage people to participate in the study.

### ***Research Questions***

Is the RDS method an appropriate and acceptable method to recruit workers in low-wage industries for a study of FLSA violations?

What are the potential challenges in the use of the RDS method and what are some mitigation strategies to address these challenges?

### ***Study Design***

We will recruit via Westat’s intranet (WesInfo) for qualified staff, family or friends, Craigslist, social media, and requests to workers’ rights organizations for up to 30 individuals who work in low-wage industries that are the focus of the RDS study for 60-minute, semi-structured interviews. Research has shown that Craigslist and social media are effective, cost-efficient methods for recruiting participants for studies (Gioia et al., 2016<sup>5</sup>; Whitkaer, Stevelink, and Fear, 2017<sup>6</sup>; Darko, Kleib, Olson, 2022<sup>7</sup>). The WesInfo advertisement (Appendix A) and the general advertisement (Appendix B) will direct individuals to a survey landing page to complete an English-only screener. We will enclose the general advertisement in an email message (Appendix C) to workers’ rights organizations asking that they share it with their constituents. Those that meet eligibility criteria (at least 18 years of age, currently working for pay, not an independent contractor, not self-employed or own their own business, and nonexempt from the FLSA) will be invited to continue to the formative research interview. The plan is to conduct most interviews virtually (video conference call), and a few in-person. A confirmation email (Appendix D) will be sent to confirm the interview date, time and location (if in-person). A screener will be used to identify eligible workers (Appendix E). The interviews will follow the interview guide (Appendix F) and focus on topics such as their social networks (e.g., how many workers in low-wage industries are in their networks); their communication behavior (such as email, text, or instant messages); their preferences for recruiting others or being invited to a survey (e.g., a personal email or anonymous email from the research team); their perceptions of a survey invitation letter (Appendix G); their preferences for incentives; and the challenges that they perceive to conducting the study.

Following the formative research, interviewers will review their notes and prepare a summary report of the findings to inform the revision of the survey design report.

### ***Universe of Data Collection Efforts***

The universe includes workers who are nonexempt from the FLSA including those from selected industries proposed for the RDS component of the study.

### **A3. Improved Information Technology to Reduce Burden**

We will use electronic online meeting platforms such as Microsoft Teams or WebEx or Zoom to conduct formative research. This will allow us to obtain participants from across the country and

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<sup>5</sup>Gioia CJ, Sobell LC, Sobell MB, Agrawal S (2016) Craigslist versus print newspaper advertising for recruiting research participants for alcohol studies: cost and participant characteristics. *Addict Behav* 54:24–32.

<sup>6</sup>Whitaker, C., Stevelink, S., and Fear, N. (2017). The Use of Facebook in Recruiting Participants for Health Research Purposes: A Systematic Review. *Journal of Medical Internet Research*, 19(8):e290. DOI:[10.2196/jmir.7071](https://doi.org/10.2196/jmir.7071)

<sup>7</sup>Darko EM, Kleib M, Olson J. Social Media Use for Research Participant Recruitment: Integrative Literature Review. *J Med Internet Res*. 2022 Aug 4;24(8):e38015. doi: 10.2196/38015. PMID: 35925655; PMCID: PMC9389385.

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reduce the burden on the participants by eliminating the need to travel. We will also conduct a few local in-person interviews to learn more from direct interaction with participants.

#### **A4. Efforts to Identify Duplication**

DOL is not aware of any previous or planned effort to collect similar information to obtain an understanding of recruitment and administration strategies for RDS respondents and to assess the appropriateness and acceptability of using the RDS method to recruit workers in low-wage industries for a study of FLSA violations. The data collection is needed to gather the information necessary to plan the survey data collection. The information is not available elsewhere.

#### **A5. Involvement of Small Organizations**

The formative research will impose a minimal burden on this sector of the economy. For recruitment of workers for the formative research, we will ask eleven workers' rights organizations to electronically post our advertisement (Appendix B) on their website or social media.

#### **A6. Consequences of Less Frequent Data Collection**

This is a one-time data collection to inform survey design.

#### **A7. Special Circumstances**

There are no special circumstances for the proposed data collection efforts.

#### **A8. Federal Register Notice and Consultation**

No public comments are requested for this information collection.

#### ***Consultation with Experts Outside of the Study***

The project has a Technical Working Group (TWG) consisting of five experts. The TWG met to review and provide comments on June 20, 2023 on the overall survey design. None of the TWG members provide any comments on the formative research plan included in the survey design report.

#### **A9. Incentives for Respondents**

We propose a \$50 gift card incentive for respondents for this information collection.

### **A10. Privacy of Respondents**

Information collected will be kept private to the extent permitted by law. Respondents will be informed of all planned uses of data, that their participation is voluntary, and that their information will be kept private to the extent permitted by law.

As specified in the contract, the Contractor shall protect respondent privacy to the extent permitted by law and will comply with all Federal and Departmental regulations for private information. The Contractor has developed a Data Safety and Monitoring Plan that assesses all protections of respondents' personally identifiable information. The Contractor shall ensure that all of its employees, subcontractors (at all tiers), and employees of each subcontractor, who perform work under this contract/subcontract, are trained on data privacy issues and comply with the above requirements. All project staff are required to sign the Contractor's own Pledge of Confidentiality.

As specified in the contract, the Contractor shall use Federal Information Processing Standard compliant encryption (Security Requirements for Cryptographic Module, as amended) to protect all instances of sensitive information during storage and transmission. The Contractor shall securely generate and manage encryption keys to prevent unauthorized decryption of information, in accordance with the Federal Processing Standard. The Contractor shall: ensure that this standard is incorporated into the Contractor's property management/control system; establish a procedure to account for all laptop computers, desktop computers, and other mobile devices and portable media that store or process sensitive information. Any data stored electronically will be secured in accordance with the most current National Institute of Standards and Technology (NIST) requirements and other applicable Federal and Departmental regulations. In addition, the Contractor shall submit a plan for minimizing to the extent possible the inclusion of sensitive information on paper records and for the protection of any paper records, field notes, or other documents that contain sensitive or personally identifiable information that ensures secure storage and limits on access.

Information will not be maintained in a paper or electronic system from which data are actually or directly retrieved by an individuals' personal identifier.

### **A11. Sensitive Questions**

There are no sensitive questions in this data collection.

### **A12. Estimation of Information Collection Burden**

#### **Total Burden Requested Under this Information Collection**

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The table below summarizes the burden by instrument. The average hourly wage for respondents to the screener and interview guide is based on estimates from the Economic Policy Institute.<sup>8</sup>

#### Estimated Annual Burden

Collection Instrument/ Activity	Annual Number of Respondents	Number of Responses Per Respondent	Total Responses	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Monetized value of Time
Respondent Screener	10	1	10	.0835	.835	\$13.60	\$1.14
Interview Guide	10	1	10	1	10	\$13.60	\$136.00
<b>Totals</b>	<b>10*</b>		<b>20</b>		<b>11 (rounded)</b>		<b>\$137.14</b>

\*= Total is not cumulative.

#### Total Annual Cost

The total annual cost is \$1,371.4 (10 respondents x 137.14)

#### A13. Cost Burden to Respondents or Record Keepers

There are no additional costs to respondents.

#### A14. Estimate of Cost to the Federal Government

The total cost for the data collection activities under this current request will be \$30,537.

#### A15. Change in Burden

This is a new information collection under the umbrella formative generic clearance for DOL research (1290-0043). All burden is new and therefore not currently on the OMB inventory.

#### A16. Plan and Time Schedule for Information Collection, Tabulation and Publication

The data collection is scheduled to occur in September 2023.

#### A17. Reasons Not to Display OMB Expiration Date

<sup>8</sup>Gould, Elise and Katherine DeCourcy (2023). In 2022, the 10th-percentile wage was \$12.57. In states that saw increases in the minimum wage between 2019 and 2022, the average 10th-percentile wage was \$13.60 in 2022. Gould, E. and K. DeCourcy. State of Working America Wages 2022: Low-wage workers have seen historically fast real wage growth in the pandemic business cycle. Economic Policy Institute. March 2023.

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All instruments will display the expiration date for OMB approval.

**A18. Exceptions to Certification for Paperwork Reduction Act Submissions**

No exceptions are necessary for this information collection.